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1947

ZONING RESOLUTION

of

THE CITY OF NEW YORK

As Amended To

June 2, 1947

Together With Charter Excerpts,
Rules, Forms, Etc.

CITY PLANNING COMMISSION
DEPARTMENT OF CITY PLANNING

JOSEPH LEVY, JR.
153 PIERREPONT ST.
BROOKLYN, N. Y.



Joseph Levy Jr.
1948
~~[Signature]~~

THE CITY OF NEW YORK
WILLIAM O'DWYER, Mayor

CITY PLANNING COMMISSION

2700 Municipal Building, New York 7, N. Y.

ROBERT F. WAGNER, JR., *Chairman*,
FRANCIS J. BLOUSTEIN,
GOODHUE LIVINGSTON, JR.,
ROBERT MOSES,
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JOHN C. RIEDEL,
CLEVELAND RODGERS,
Commissioners.

PAULINE J. MALTER,
Secretary.

Communications and petitions should be submitted pursuant to the rules of the Commission (see page 26).

Regular public meetings are held in Room 16, City Hall, Manhattan, Wednesdays at 2:30 P. M. Minutes of Wednesday meetings are published in THE CITY RECORD on the following Tuesday.

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DEPARTMENT OF CITY PLANNING

Price List of Zoning Maps, etc.

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| Use District Maps, 35 Sheets with Index Map, Book Form | \$4.50 |
| Height District Maps, 35 Sheets with Index Map, Book Form | 4.50 |
| Area District Maps, 35 Sheets with Index Map, Book Form | 4.50 |
| Individual Zoning Sheets, each | .25 |
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| Forms—Notice of Filing Zoning Petition, Poster Giving Notice of Filing Zoning Petition, Proof of Service, each | .03 |
| Zoning Resolution | .25 |

ZONING RESOLUTION OF THE CITY OF NEW YORK

(As Amended to June 2, 1947)

A Resolution Regulating and Limiting the Height and Bulk of Buildings Hereafter Erected and Regulating and Determining the Area of Yards, Courts and Other Open Spaces, and Regulating and Restricting the Location of Trades and Industries and the Location of Buildings Designed for Specific Uses and Establishing the Boundaries of Districts for the Said Purposes.

ARTICLE I—DEFINITIONS

§1. **Definitions.** Certain words in this resolution are defined for the purposes thereof as follows:

(a) Words used in the present tense include the future; the singular number includes the plural and the plural the singular.

(b) The "street line" is the dividing line between the street and the lot.

(c) The "width of the street" is the mean of the distances between the sides thereof within a block.

(d) The "curb level" for the purpose of measuring the height of any portion of a building, is the mean level of the curb in front of such portion of the building. But where a building is on a corner lot the curb level is the mean level of the curb on the street of greatest width, for the purposes of this resolution. If such greatest width occurs on more than one street the curb level is the mean level of the curb on that street of greatest width which has the highest curb elevation. The "curb level" for the purpose of regulating and determining the area of yards, courts and open spaces is the mean level of the curb at that front of the building where there is the highest curb elevation. Where no curb elevation has been established or where a front yard setback of 25 feet or more is provided, the average level of the land immediately adjacent to the building prior to any excavation or fill shall be considered the curb level.

(e) A "street wall" of a building, at any level, is the wall or part of the building nearest to the street line.

(f) The "height of a building" is the vertical distance measured in the case of flat roofs from the curb level to the level of the highest point of the roof beams adjacent to the street wall, and in the case of pitched roofs from the curb level to the mean height level of the gable. Where no roof beams exist or there are structures wholly or partly above the roof the height shall be measured from the curb level to the level of the highest point of the building. Where a building is a multiple dwelling, as defined in the Multiple Dwelling Law the height of the building on the street line shall be measured as prescribed in said law for the measurement of the height of a multiple dwelling and such measurement shall be from the curb level as that term is used in said law, except that where no curb elevation has been established or where a front yard setback of 25 feet or more is provided, then in no case shall the grade from which the measurements are to be made exceed the average level of the land immediately adjacent to the building prior to any excavation or fill.

(g) The "depth of a lot" is the mean distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot.

(h) The "rear of a lot" is the portion of a lot directly opposite the front. A "rear yard" is an open unoccupied space on the same lot with a building between the rear line of the building and the rear line of the lot. An "excess rear yard" is that part of a rear yard lying outside the limits of a rear yard of required dimensions.

(i) The "depth of a rear yard" is the mean distance between the rear line of the building and the rear line of the lot.

(j) Lots or portions of lots shall be deemed "back to back" when they are on opposite sides of the same part of a rear line common to both and the opposite street lines in which the lots front are parallel with each other or make an angle with each other of not over 45 degrees.

(k) A "court" is an open unoccupied space other than a rear yard, on the same lot with a building. A court not extending to the street or to a rear yard is an "inner court". A court extending to the street or a rear yard is an "outer court". A court on the lot line extending through from the street to a rear yard or another street is a "side yard". "Excess court space" is that part of a court lying outside the limits of a court of required dimensions.

(l) The "height of a yard or a court" at any given level shall be measured from the lowest level of such yard or court as actually constructed or from the curb level, if higher, to such level. The highest level of any given wall bounding a court or yard shall be deemed to be the mean height of such wall. Where a building is a multiple dwelling, as defined in the Multiple Dwelling Law, the height of a yard or a court shall be measured as prescribed in such law.

(m) The "least dimension" of a yard or court at any level is the least of the horizontal dimensions of such yard or court at such level. If two opposite sides of a yard or court are not parallel the horizontal dimensions between them shall be deemed to be the mean distance between them.

(n) The "length of an outer court" at any given point shall be measured in the general direction of the side lines of such court from the end opposite the end opening on a street or a rear yard to such point.

(o) A "family" is one or more persons occupying a dwelling and maintaining a common household.

(p) An "accessory use or building" is a use or building customarily incident to the principal use or building and located on the same lot with such principal use or building.

(q) A "sign" is any structure or part thereof or device attached thereto or painted or represented thereon, which shall display or include any letter, word, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of an announcement, direction or advertisement. For the purpose of this resolution the word "sign" includes the word "billboard" but does not include the flag, pennant or insignia of any nation, state, city or other political unit, or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement or event.

A "business sign" is a sign which directs attention to a business or profession conducted upon the premises. An "advertising sign" is a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises. A "for sale" or "to let" sign relating to the property on which it is displayed shall be deemed a business sign.

(r) "Board" shall mean the Board of Standards and Appeals created by Chapter 503 of the Laws of 1916 and Chapter 27 of the New York City Charter.

(s) The word "building" shall be deemed to include a structure as defined in the Administrative Code.

(t) A "dwelling" is any building or any portion thereof which is occupied as the home or residence of one or more persons.

a. A "multiple dwelling" shall be as defined in the Multiple Dwelling Law.

b. A "single-family dwelling" is a building designed for and occupied exclusively by not more than one family.

c. A "two-family dwelling" is a building designed for and occupied exclusively by not more than two families.

(u) For the purpose of determining the ratio of the floor area of a building to the area of the lot, the "floor area" of a building is the sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines but excluding garage areas and basement and cellar floor areas not devoted to residence use. All horizontal dimensions are to be made between the exterior faces of walls, including the walls of roofed porches. The floor area of a building shall include the floor area of accessory buildings, except garages, on the same lot, which shall be measured in the same way.

(v) A "lot" is a parcel or plot of ground which is or may be occupied by a building and accessory buildings including the open spaces required by this resolution.

(w) A "non-conforming building or use" is one that does not conform with the regulations of the use district in which it is located.

(x) The word "premises" shall include a lot with or without a building thereon.

(y) A "trailer camp" shall mean and include any premises where two or more vehicles are parked, which are designed, intended, arranged or used for living or sleeping purposes, or any premises used or held out for the purpose of supplying to the public a parking space for two or more such vehicles, whether such vehicles stand on wheels or rigid supports.

(z) For the purpose of this resolution, a public park shall be deemed to be any publicly owned park, playground, parkway or roadway within the jurisdiction and control of the Commissioner of Parks, other than parked strips or malls in a public street, the roadways of which are not within his jurisdiction and control.

(aa) A "bus station" is any location off a public street where public buses receive or discharge passengers.

ARTICLE II—USE DISTRICTS

§2. **Use Districts.** For the purpose of regulating and restricting the location of trades and industries and the location of buildings designed for specific uses the City of New York is hereby divided into nine classes of districts: (1) residence districts, (2) local retail districts, (3) restricted retail districts, (4) retail districts, (5) retail-1 districts, (6) business districts, (7) business-1 districts, (8) manufacturing districts, (9) unrestricted districts; as shown on the use district map, consisting of thirty-five sheets and an index sheet each dated March 31, 1937, and signed by the Chief Engineer of the Board of Estimate and Apportionment. (*) The use districts designated on said map, as amended, or as may be hereafter amended from time to time, are hereby continued and declared to be part hereof. The use district map designations and map designation rules which accompany said use district map are hereby declared to be part thereof. No building or premises shall be erected or used for any purpose other than a purpose permitted in the use district in which such building or premises is located.

§3. **Residence Districts.** In a residence district no building or buildings shall be erected other than a building or buildings arranged, intended or designed exclusively for one or more of the following specified uses:

(1) Dwellings, which except as hereinafter provided in §§ 14-A, 15-A, 16-B and 16-C, shall include dwellings for one or more families and boarding houses and also hotels which have thirty or more sleeping rooms.

(2) Clubs, excepting clubs the chief activity of which is a service customarily carried on as a business.

(3) Churches.

(4) Schools, libraries, public museums, court houses, fire houses, and police stations.

(5) Philanthropic or eleemosynary uses or institutions, other than correctional institutions.

(6) Hospitals and sanitariums.

(7) Railroad passenger stations.

(8) Farming, truck gardening, nurseries, or green houses.

(9) In a residence district no building or premises shall be used for any other than a use above specified for which buildings may be erected and for the accessory uses customarily incident thereto. The term "accessory use" shall not include a business, nor shall it include any building or use not located on the same lot with the building or use to which it is accessory. Such accessory uses may include, inter alia:

(a) A private garage for not more than three motor vehicles as an appurtenance to a single family or two-family dwelling; such private garage shall be exclusively for passenger vehicles, and space for one passenger motor vehicle may be rented.

(b) A private garage or group of private garages, with a capacity not exceeding one vehicle for each family, as an appurtenance to a group of single family or two-family dwellings erected under one ownership, or as an appurtenance to one or more multi-family dwellings erected under one ownership; such garage or group of private garages shall be exclusively for passenger vehicles, including buses, which are used by the occupants of said dwellings. No space shall be rented or sublet to non-occupants.

(c) The practice of a profession within the premises in which the practitioner resides.

(d) The following non-flashing non-illuminated business signs: A nameplate indicating the occupant; a sign not exceeding one square foot in area indicating practice on the premises of the profession of the occupant; a sign not exceeding 12 square feet in area advertising the premises as "for sale" or "for rent" with pertinent information, which sign if on vacant property shall not be within 15 feet of the street line nor within six feet of any adjoining property line. No sign shall project more than 12 inches beyond the street line. Not more than one sign shall be permitted for each use, profession, or person coming within the provisions of this section.

(e) Removal for sale of sod, loam, clay, sand, gravel or stone in connection with the construction of a building on the lot, or in connection with the regrading of a lot but in the latter case not below the legal street grade.

(*) As the result of an amendment rezoning the Borough of Richmond, the use district map now consists of twenty-seven sheets and an index sheet, each dated March 31, 1937, and signed by the Chief Engineer of the Board of Estimate and Apportionment, together with eight sheets, each dated January 21, 1942, and signed by the Senior Civil Engineer of the City Planning Commission.)

(10) Administrative offices and industrial laboratory projects consistent with and designed to promote and benefit the value and use of property in residence districts or in areas which are predominantly residential although partly lying in less restricted districts. Such uses may be permitted only if approved in accordance with the following terms and conditions:

(a) Every project authorized under this subsection (10) shall occupy a plot of not less than ten acres, of which not more than 25 per cent shall be occupied by buildings and structures and not less than 25 per cent shall consist of a landscaped park area to which the public shall have access subject to reasonable restrictions. The aggregate floor area of the buildings and structures shall not exceed one-half of the area of the plot.

The minimum distance between any two buildings or structures shall be not less than 20 feet. All buildings and structures shall be erected and arranged in a manner which will provide adequate light and air at least equivalent to the requirements of this resolution. The height of any building or structure shall not exceed 50 feet, and within such limits shall be that best suited to the architectural design and arrangement of all the buildings, notwithstanding the provisions of Article III of this resolution. The location and design of all buildings and structures on the plot shall be consistent with the predominantly residential character of the district. The uses provided for in this subsection (10) shall in no instance include the trades, industries and uses proscribed by section 4(a) and 4(b) of this resolution.

(b) Upon presentation to the City Planning Commission of a site plan and general building plans showing the design, location and uses of buildings, structures and open spaces of a project within a residence district or in an area predominantly residential although partly lying in less restricted districts, the commission may, after public notice and hearing, and subject to appropriate conditions and safeguards, by resolution certify that the construction, operation and maintenance of such a project is consistent with the use of property in such district or districts and is designed to promote, enhance and benefit the value and use of such property and may, thereupon, approve such plan of a project. Such resolution of the City Planning Commission, together with the plan of a project shall be filed with the Secretary of the Board of Estimate within five (5) days after its adoption. Unless the Board of Estimate shall disapprove such resolution by a majority vote within thirty (30) days from the date of filing, it shall thereupon take effect, except that in case a protest against a proposed resolution shall have theretofore been presented, duly signed and acknowledged by the owners of 20 per cent or more of the area of the land immediately adjacent extending 100 feet from said plot, or by the owners of 20 per cent or more of the area of land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such resolution shall not be effective unless approved by the Board of Estimate by unanimous vote of the entire Board.

(c) All buildings and structures authorized and established under the provisions of this subsection (10) shall conform to all applicable laws and regulations relating to construction, operation and maintenance.

(d) No modification, variance or change in the general location, layout and character of the project as shown on the plan as approved shall be permitted except when approved in accordance with the procedure set forth in subdivision (b) of this subsection (10), provided that upon abandonment of a particular project authorized under this subsection (10) the land and the structures thereon may be used without such approval for any other lawful purpose permissible within the district or districts in which the project is located.

§4. Business Districts. (a) In a business district no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used, for any of the following specified trades, industries or uses:

- (1) Ammonia, chlorine or bleaching powder manufacture.
- (2) Asphalt manufacture or refining.
- (3) Assaying (other than gold or silver).
- (4) Blacksmithing or horseshoeing or welding.
- (5) Boiler making.
- (6) Brewing or distilling of liquors.
- (7) Carpet cleaning.
- (8) Celluloid manufacture.
- (9) Crematory.
- (10) Distillation of coal, wood or bones.

SECTION 4(a) (15) AS AMENDED

Effective May 13, 1948

§ 4. **Business Districts.** (a) In a business district no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used, for any of the following specified trades, industries or uses:

(15) A. garage for more than five motor vehicles, including garage units on contiguous lots for a less number which in the aggregate accommodate more than five motor vehicles in the same ownership, management or control. However, an indoor salesroom where motor vehicles are kept for sale or for display purposes only shall be permitted. Except where the provisions of § 21-A apply, there may be provided exclusively for tenants or their employees, customers, or patrons, garage space adjoining, on or within a business building but not within required open spaces provided no gasoline or oil selling, or servicing or repair facilities are included.

- (11) Dyeing or dry cleaning establishments other than establishments where dry cleaning is accessory to the principal use.
- (12) Electric central station power plant.
- (13) Fat rendering.
- (14) Fertilizer manufacture.
- (15) Storage or parking of more than five motor vehicles or garage for more than five motor vehicles, including garage units or parking or storage on contiguous lots for a less number which in the aggregate accommodate more than five motor vehicles in the same ownership, management or control and not including an indoor salesroom where motor vehicles are kept for sale or for display purposes only. Except where the provisions of §21-A apply, there may however be provided exclusively for tenants or their employees, customers or patrons, outdoor parking or indoor garage space adjoining or within a business building but not within required open spaces provided no fee is charged and no gasoline or oil selling, or servicing or repair facilities are included. and 5/13/48
- (16) Gas (illuminating or heating) manufacture or storage.
- (17) Glue, size and gelatine manufacture.
- (18) Incineration or reduction of garbage, offal, dead animals or refuse.
- (19) Iron, steel, brass or copper works.
- (20) Junk, scrap paper or rag storage or baling.
- (21) Lamp black manufacture.
- (22) Lime, cement or plaster of paris manufacture.
- (23) Milk bottling and distributing station.
- (24) Oil cloth or linoleum manufacture.
- (25) Paint, oil, varnish, pigment or turpentine manufacture.
- (26) Petroleum refining or storage.
- (27) Printing ink manufacture.
- (28) Raw hides or skins—storage, curing or tanning.
- (29) Repair shop for motor vehicles other than facilities for minor adjustments with hand tools in a legally permitted garage for more than five motor vehicles.
- (30) Rubber manufacture from the crude material.
- (31) Saw or planing mill or lumber yard.
- (32) Shoddy manufacture or wool scouring.
- (33) Slaughtering of animals or fowl.
- (34) Smelting.
- (35) Soap manufacture.
- (36) Stable for more than five horses.
- (37) Starch, glucose or dextrine manufacture.
- (38) Stock yard.
- (39) Stone or monumental works, or the manufacture of cement blocks.
- (40) Sugar refining.
- (41) Sulphurous, sulphuric, nitric or hydrochloric acid manufacture.
- (42) Tallow, grease or lard manufacture or refining.
- (43) Tar distillation or manufacture.
- (44) Tar roofing or tar waterproofing manufacture.
- (45) Refrigerating plants, coal yards and coal pockets.
- (46) Gasoline service or oil selling station.
- (47) Bus stations except as provided in §21-D.
- (48) Trailer camp.
- (49) Business and advertising signs, except:
 - (a) Non-flashing business signs, each of which does not exceed 500 square feet in area and which does not project more than eighteen inches beyond the street line provided that such business signs may in no case exceed an aggregate of 15 per cent of the area of the wall surface, including window and door areas, on which they are displayed.
 - (b) Business signs on awnings or marquees permitted by the Administrative Code.
 - (c) Projecting signs attached to a theatre, hotel, a large department store or a similar structure of an essentially public nature, which advertise or indicate the principal business transacted on such premises.
- (50) Automobile wrecking yard.
- (51) Steam or wet wash laundry other than in a hotel or hospital.

(b) In a business district no building or premises shall be used, and no building shall be erected, which is arranged, intended or designed to be used for any trade, industry or use that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise; but car barns, including those converted for the use of buses operating under a franchise, or places of amusement shall not be excluded;

(c) In a business district no building or premises shall be used, and no building shall be erected, which is arranged, intended or designed to be used for any kind of manufacturing, except that any kind of manufacturing not included within the prohibitions of paragraphs a and b of this section may be carried on provided not more than 25 per cent of the total floor space of the building is so used, but space equal to the area of the lot may be so used in any case, although in excess of said 25 per cent. The printing of a newspaper shall not be deemed manufacturing. No use permitted in a residence district by §3 shall be excluded from a business district. No use permitted in a residence district by §3(10) shall be excluded from a business district.

§4-A. Retail Districts. In a retail district the same regulations and restrictions shall apply as are provided for business districts except that no manufacturing or treatment of products shall be carried on other than such as are incidental to the conduct of a retail business conducted on the premises, or such other manufacturing as is now permitted in a business district, provided that in such other manufacturing not more than five per cent (5%) of the total floor space of the building is so used. However, any use or uses specifically authorized under the provisions of §3(10) shall be permitted in a retail district.

§4-B. Restricted Retail Districts. In a restricted retail district, the same regulations and restrictions shall apply as are provided for retail districts except that in a restricted retail district no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used for any of the following purposes:

- (a) Amusement centre for the playing of games and for the operation of bagatelle machines and other similar devices.
- (b) Billiard parlor, pool parlor or bowling alley other than in a hotel.
- (c) Cabaret other than in a hotel.
- (d) Freak show or wax museum.
- (e) Theatre or motion picture theatre.
- (f) Undertaking establishment or funeral parlor.
- (g) Open front store other than a sidewalk cafe.
- (h) Public dance hall other than in a hotel.
- (i) Shooting gallery, skeeball or similar games.
- (j) Skating rink other than in a hotel.
- (k) Warehouse or storage plant except as may be specifically authorized under §3(10).

§4-C. Local Retail Districts. In a local retail district, the same regulations and restrictions shall apply below the level of the first story ceiling as are provided for restricted retail districts, except that no manufacturing of any kind shall be permitted; and no building shall be erected or structurally altered which is arranged, intended or designed to be used above the level of the first story ceiling for any use not permitted in a residence district. However, the provisions of this section shall not apply to projects authorized pursuant to §3(10) of this resolution.

§4-D. Business-1 Districts. In a business-1 district, the same regulations and restrictions shall apply as are provided for business districts except that in a business-1 district, §4(a) (49) shall not apply.

§4-E. Retail-1 Districts. In a retail-1 district, the same regulations and restrictions shall apply as are provided for retail districts except that in a retail-1 district, §4(a) (49) shall not apply.

§4-F. Manufacturing Districts. In a manufacturing district, the same regulations and restrictions shall apply as are provided for business districts, except that the provisions of §4(15), (29), (46) and (49) shall not apply, and except that 75 per cent of the total floor space of the building may be used for manufacturing. Space equal to the area of the lot may be so used in any case, although in excess of said 75 per cent.

§5. Unrestricted Districts. The term "unrestricted district" is used to designate the districts for which no regulations or restrictions are provided by this article.

§6. Existing Buildings and Premises. (a) Any use existing in any building or premises on July 25, 1916, and not conforming to the regulations of the use district in

*New Amd
5/13/48
subdiv 2*

SECTION 4-B(1) AS AMENDED
Effective May 13, 1948

§ 4-B. **Restricted Retail Districts.** In a restricted retail district, the same regulations and restrictions shall apply as are provided for retail districts except that in a restricted retail district no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used for any of the following purposes :

(1) Storage or parking of more than five motor vehicles, including storage or parking on contiguous lots for a less number which in the aggregate accommodate more than five motor vehicles in the same ownership, management or control. However, except where the provisions of § 21-A apply, there may be provided exclusively for tenants or their employees, customers or patrons, outdoor parking or indoor garage space adjoining, on or within a business building but not within required open spaces provided no gasoline or oil selling, or servicing or repair facilities are included.

SECTION 7(f) AS AMENDED

Effective May 13, 1948

§ 7. **Use District Exceptions.** The Board of Standards and Appeals may, in appropriate cases, after public notice and hearing, and subject to appropriate conditions and safeguards, determine and vary the application of the use district regulations herein established in harmony with their general purpose and intent as follows:

(f) Permit, for a stated term of years, in a business, business-1, retail or retail-1 district, where the provisions of § 21-A do not apply, the erection of a gasoline service station or oil selling station, and the erection of a garage for more than five motor vehicles.

SECTION 7(h) AS AMENDED

Effective May 13, 1948

(h) Grant temporary and conditional permits, for a stated term of years, in a restricted retail, local retail or residence district for the parking and storage of more than five motor vehicles on vacant land, or land to be cleared, but not within required open spaces. The use of such land shall not include any other non-conforming use or any servicing of motor vehicles;

SECTION 4-B(1) AS AMENDED

Effective May 13, 1948

§ 4-B. **Restricted Retail Districts.** In a restricted retail district, the same regulations and restrictions shall apply as are provided for retail districts except that in a restricted retail district no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used for any of the following purposes:

(1) Storage or parking of more than five motor vehicles, including storage or parking on contiguous lots for a less number which in the aggregate accommodate more than five motor vehicles in the same ownership, management or control. However, except where the provisions of § 21-A apply, there may be provided exclusively for tenants or their employees, customers or patrons, outdoor parking or indoor garage space adjoining, on or within a business building but not within required open spaces provided no gasoline or oil selling, or servicing or repair facilities are included.

which it is maintained, may be continued therein except as provided in §21-A. No then existing building designed, arranged, intended or devoted to a use not permitted by this article in the district in which such use is located shall be enlarged, extended, reconstructed or structurally altered unless such use is changed to a use permitted in the district in which such building is located. Such building may, however, be reconstructed or structurally altered to an extent not greater than 50 per cent of the value of the building, exclusive of foundations, provided that no use in such building is changed or extended.

(b) Any use existing in any building or premises lawfully established subsequent to July 25, 1916, and not conforming to the regulations of the use district in which it is maintained, may be continued therein, except as provided in §21-A or in §21-D.

§7. Use District Exceptions. The Board of Standards and Appeals may, in appropriate cases, after public notice and hearing, and subject to appropriate conditions and safeguards, determine and vary the application of the use district regulations herein established in harmony with their general purpose and intent as follows:

(a) Permit the extension of an existing building and the existing use thereof upon the lot occupied by such building at the time of the passage of this resolution or permit the erection of an additional building upon a lot occupied at the time of the passage of this resolution by a commercial or industrial establishment and which additional building is a part of such establishment;

(b) Where a use district boundary line divides a lot in a single ownership at the time of the passage of this resolution, permit a use authorized in either portion of such lot to extend to the entire lot, but not more than 25 feet beyond the boundary line of the district in which such use is authorized;

(c) Permit the extension of an existing or proposed building into a more restricted district under such conditions as will safeguard the character of the more restricted district; permit, where premises are devoted to a non-conforming use, a new building or structure or the extension of an existing building or use into a more restricted district or into a district restricted against the proposed use under such conditions as will safeguard the character of the district;

(d) Permit in a residence district a central telephone exchange or any building or use in keeping with the uses expressly enumerated in section 3 as the purposes for which buildings or premises may be erected or used in a residence district;

(e) Permit, for a stated term of years, buildings and uses not in conformity with the requirements of this article and not otherwise specifically provided for in this section;

(f) Permit, for a stated term of years, in a business, business-1, retail or retail-1 district, where the provisions of §21-A do not apply, the erection of a gasoline service station or oil selling station, and the erection of a garage for more than five motor vehicles or the storage or parking of more than five motor vehicles; *and 5/13/48*

(g) Permit, for a stated term of years, in a restricted retail, local retail or residence district, where the provisions of §21-A do not apply, and in such locations in a manufacturing or unrestricted district where the provisions of §21-A apply, the erection of a garage for more than five motor vehicles or the storage or parking of more than five motor vehicles, provided the petitioner files the consents duly acknowledged of the owners of 50 per cent of the frontage deemed by the Board to be immediately affected by the proposed garage;

(h) Grant temporary and conditional permits, for a stated term of years, in a business, business-1, retail, retail-1, restricted retail, local retail or residence district for the parking and storage of more than five motor vehicles on a lot where unbuilt upon but not within required open spaces. The use of such lot shall not include any other non-conforming use or any servicing of motor vehicles; *and 5/13/48*

(i) Permit in a business, business-1, retail or retail-1 district, the erection of a repair shop for motor vehicles;

(j) Grant in a manufacturing, business, business-1, retail, retail-1, restricted retail, local retail or residence district, temporary or conditional permits for not more than two years for a trailer camp.

§7-A. Transition from Non-Residential to Residence Use on Side Streets. Where a use district other than residence extends along a street and the abutting property to the rear along an intersecting street is in a residence district, a building or use on a lot, whether a corner lot or otherwise, having frontage on such intersecting street and hereafter arranged, intended or designed to be occupied for other than residence use shall not have any business entrance except as hereinafter provided, show window

or sign on such intersecting street beyond a distance of twenty-five feet from the intersection. Beyond such twenty-five feet, entrances not exceeding three feet six inches in width and windows other than windows designed or used for display and, when required by law, exits, ventilators, fire escapes and other appurtenances may be permitted. The provisions of this section shall not restrict openings necessary to permit ingress and egress for required or permitted parking, loading and unloading space. Where zoning for other than residence use is confined to a distance of not over 100 feet along both streets from an intersection, the limitations of this section shall not apply. In appropriate cases, the Board, after public notice and hearing, may vary the provisions of this section subject to such appropriate conditions and safeguards as are in harmony with the general purpose and intent of this section.

ARTICLE III—HEIGHT DISTRICTS

§8. **Height Districts.** For the purpose of regulating and limiting the height and bulk of buildings hereafter erected, The City of New York is hereby divided into eight classes of districts; (a) class one-quarter ($\frac{1}{4}$) districts; (b) class one-half ($\frac{1}{2}$) districts; (c) class three-quarter ($\frac{3}{4}$) districts; (d) class one (1) districts; (e) class one and one-quarter ($1\frac{1}{4}$) districts; (f) class one and one-half ($1\frac{1}{2}$) districts; (g) class two (2) districts; (h) class two and one-half ($2\frac{1}{2}$) districts. The districts heretofore classified and referred to as one-quarter times districts; one-half times districts; three-quarter times districts; one times districts; one and one-quarter times districts; one and one-half times districts; two times districts and two and one-half times districts, as shown on the height district map consisting of twenty-seven sheets and an index sheet, each dated March 31, 1937, and signed by the Chief Engineer of the Board of Estimate and Apportionment, together with eight sheets, each dated August 2, 1943, and signed by the Senior Civil Engineer of the City Planning Commission, shall hereafter be referred to and described, respectively, as class one-quarter districts, class one-half districts, class three-quarter districts, class one districts, class one and one-quarter districts, class one and one-half districts, class two districts and class two and one-half districts. The height districts designated on said map, as amended, or as may be hereafter amended from time to time, are hereby continued and declared to be part hereof. The height district map designations and map designation rules which accompany said height district map are hereby declared to be part thereof. No building or part of a building shall be erected except in conformity with the regulations herein prescribed for the height district in which such building is located.

(a) In a class one-quarter ($\frac{1}{4}$) district no building shall be erected to a height in excess of one-quarter times the width of the street, but for each two feet that the building or a portion of it sets back from the street line one foot shall be added to the height limit of such building or such portion thereof.

(b) In a class one-half ($\frac{1}{2}$) district no building shall be erected to a height in excess of one-half times the width of the street, but for each one foot that the building or a portion of it sets back from the street line one foot shall be added to the height limit of such building or such portion thereof.

(c) In a class three-quarter ($\frac{3}{4}$) district no building shall be erected to a height in excess of three-quarter times the width of the street but for each one foot that the building or a portion of it sets back from the street line one foot shall be added to the height limit of such building or such portion thereof.

(d) In a class one (1) district no building shall be erected to a height in excess of seven-eighths times the width of the street, but for each one foot that the building or a portion of it sets back from the street line one and one-half feet shall be added to the height limit of such building or such portion thereof.

(e) In a class one and one-quarter ($1\frac{1}{4}$) district no building shall be erected to a height in excess of the width of the street, but for each one foot that the building or portion of it sets back from the street line two feet shall be added to the height limit of such building or such portion thereof.

(f) In a class one and one-half ($1\frac{1}{2}$) district no building shall be erected to a height in excess of one and one-quarter times the width of the street, but for each one foot that the building or a portion of it sets back from the street line two and one-half feet shall be added to the height limit of such building or such portion thereof.

(g) In a class two (2) district no building shall be erected to a height in excess of one and one-half times the width of the street, but for each one foot that the building or portion of it sets back from the street line three feet shall be added to the height limit of such building or such portion thereof.

(h) In a class two and one-half ($2\frac{1}{2}$) district no building shall be erected to a height in excess of two times the width of the street but for each one foot that the building or a portion of it sets back from the street line four feet shall be added to the height limit of such building or such portion thereof.

§9. Height District Exceptions. (a) On streets less than 50 feet in width the same height regulations shall be applied as on streets 50 feet in width and, except for the purposes of paragraph d of this section, on streets more than 100 feet in width the same height regulations shall be applied as on streets 100 feet in width.

(b) Along a narrower street near its intersection with a wider street, any building or any part of any building within 100 feet of the wider street, measured at right angles from the side of the wider street, shall be governed by the height regulations provided for the wider street.

(c) Above the height limit at any level for any part of a building a dormer, elevator bulkhead or other structure may be erected provided its frontage length on any given street be not greater than 60 per cent of the length of such street frontage of such part of the building. Such frontage length of such structure at any given level shall be decreased by an amount equal to one per cent of such street frontage of such part of the building for every foot such level is above such height limit. If there are more than one such structure, their aggregate frontage shall not exceed the frontage length above permitted at any given level.

(d) If the area of the building is reduced so that above a given level it covers in the aggregate not more than 25 per cent of the area of the lot, the building above such level shall be excepted from the foregoing provisions of this article. Such portion of the building may be erected to any height, provided that the distance which it sets back from the street line on each street on which it faces, plus half of the width of the street, equals at least 75 feet. But for each one per cent of the width of the lot on the street line that such street wall is less in length than such width of the lot, such wall may be erected four inches nearer to the street line. This provision shall not apply to residential buildings or buildings in a residence district, or portions thereof, within 100 feet of a public park of one acre or more in area, or within 100 feet of the street line opposite such a park.

(e) When at the time plans are filed for the erection of a building there are buildings in excess of the height limits herein provided within 50 feet of either end of the street frontage of the proposed building or directly opposite such building across the street, the height to which the street wall of the proposed building may rise shall be increased by an amount not greater than half the average excess height of the walls on the street line within 50 feet of either end of the street frontage of the proposed building and at right angles to the street frontage of the proposed building on the opposite side of the street. Such average excess height shall be a weighted average computed by multiplying the excess height of each wall within the street frontage in question by the length of such wall having such excess height, and dividing the sum of these products by the length of the above defined frontage.

(f) Nothing in this article shall prevent the projection of a cornice beyond the street wall to an extent not exceeding five per cent of the width of the street nor more than five feet in any case. Nothing in this article shall prevent the erection above the height limit of a parapet wall or cornice solely for ornament and without windows extending above such height limit not more than five per cent of such height limit, but such parapet wall or cornice may in any case be at least five and one-half feet high above such height limit.

(g) The provisions of this article shall not apply to the erection of church spires, belfries, chimneys, flues or gas holders.

(h) Where not more than 50 feet of a street frontage would otherwise be subjected to a height limit lower than that allowed immediately beyond both ends of such frontage, the height limit on such frontage shall be equal to the lesser of such greater height limits.

(i) If an additional story or stories are added to a building existing at the time of the passage of this resolution, the existing walls of which are in excess of the height limits prescribed in this article, the height limits for such additional story or stories shall be computed from the top of the existing walls as though the latter were not in excess of the prescribed limits and the carrying up of existing elevator and stair enclosures shall be exempted from the provisions of this article.

§9-A. Airports. The provisions of §8 and §9 permitting the erection of a building to heights in excess of those provided by the several height districts at the street line, and further permitting additional height for a building by one or more set

backs from the street line, shall not apply to any buildings located within two miles from the boundary of any airport publicly owned or controlled, designated by the City Planning Commission as an airport to which the provisions of this section shall apply. The Board may, in appropriate cases, after public hearing and subject to appropriate conditions and safeguards, determine and vary the application of this section in harmony with its general purpose and intent.

ARTICLE IV—AREA DISTRICTS

§10. Area Districts. For the purpose of regulating and determining the area of yards, courts and other open spaces for buildings hereafter erected, The City of New York is hereby divided into ten classes of area districts: A, B, C, D, D-1, E, E-1, F, F-1, and G; as shown on the area district map consisting of twenty-seven sheets and an index sheet, each dated March 31, 1937, and signed by the Chief Engineer of the Board of Estimate and Apportionment, together with eight sheets, each dated August 2, 1943, and signed by the Senior Civil Engineer of the City Planning Commission. The area districts designated on said map, as amended, or as may be hereafter amended from time to time, are hereby continued and declared to be part thereof. The area district map designations and map designation rules which accompany said area district map are hereby declared to be a part hereof. No building or part of a building shall be erected except in conformity with the regulations herein prescribed for the area district in which such building is located. Unless otherwise expressly provided the term rear yard, side yard, outer court or inner court when used in this article shall be deemed to refer only to a rear yard, side yard, outer court, or inner court required by this article.

Except as provided in §19 (e), no lot area shall be so reduced or diminished that the yards, courts, or open spaces shall be smaller than prescribed in this article.

§11. A Districts. (a) In an A district a court at any given height shall be at least two inches in least dimension for each one foot of such height.

(b) In an A district no building used for residence, and no non-residential building located in a residence district, in a local retail district, in a restricted retail district, in a retail district, or in a retail-1 district, as designated on the amended use district map, shall occupy at the curb level more than 75 per cent of the area of the lot, if an interior lot, or 90 per cent if a corner lot, exclusive in each case of lawful garages. In computing such percentage any part of the area of any corner lot in excess of 5,000 square feet shall be considered an interior lot.

§12. B Districts. (a) In a B district a rear yard at any given height shall be at least three inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 10 per cent of the depth of the lot, but need not exceed 10 feet at such level. An outer court or a side yard at any given height shall be at least two inches in least dimension for each one foot of such height. An outer court at any given point shall be at least two and one-half inches in least dimension for each one foot of length. But for each one foot that an outer court at any given height would, under the above rules, be wider in its least dimension for such height than the minimum required by its length, one inch shall be deducted from the required least dimension for such height for each 24 feet of such height. A side yard for its length within 50 feet of the street may for the purposes of above rule be considered an outer court.

(b) In a B district no building used for residence, and no non-residential building located in a residence district as designated on the amended use district map, shall occupy at the curb level more than 65 per cent of the area of the lot, if an interior lot, or 80 per cent if a corner lot, exclusive in each case of lawful garages, except that the first floor of buildings occupying interior lots which do not exceed 5,000 square feet in area, and which do not adjoin a residence district, may occupy not more than 75 per cent of the lot. In computing such percentage any part of the area of any corner lot in excess of 5,000 square feet shall be considered an interior lot.

§13. C Districts. (a) In a C district a rear yard at any given height shall be at least four inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 10 per cent of the depth of the lot, but need not exceed ten feet at such level. An outer court or a side yard at any given height shall be at least two and one-half inches in least dimension for each one foot of such height. An outer court at any given point shall be at least two and one-half inches in least dimension for each one foot of length. On a lot not more than 30 feet in mean

width an outer court or a side yard at any given height shall be not less than one inch in least dimension for each one foot of such height, and an inner court at any given height shall be either (1) not less than two inches in least dimension for each one foot of such height or (2) it shall be of an equivalent area as hereinafter specified in paragraph c of §18.

(b) In a C district no building shall occupy at the curb level more than 60 per cent of the area of the lot, if an interior lot, or 75 per cent if a corner lot, exclusive in each case of lawful garages. In computing such percentage any part of the area of any corner lot in excess of 5,000 square feet shall be considered an interior lot.

(c) If the owner or owners of any part of a C district set aside perpetually for the joint recreational use of the residents of such part designated by them, an area at least equal to 10 per cent of the area of such part in addition to all yard and court requirements for a B district, such part shall be subject to the regulations herein prescribed for a B district. Such joint recreational space shall be composed of one or more tracts each of which shall be at least 40 feet in least dimension and 5,000 square feet in area and shall be approved by the Board of Standards and Appeals as suitable for the joint recreational use of such residents.

§14. **D Districts.** (a) In a D district a rear yard at any given height shall be at least five inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 15 per cent of the depth of the lot, but need not exceed 15 feet at such level. If a building in a D district is located in a residence district as designated on the use district map, the depth of a rear yard at its lowest level shall be at least 25 per cent of the depth of the lot, but need not exceed 25 feet at such level. However, for each one foot in excess of 15 feet of the depth of such rear yard at its lowest level, there may be substituted one foot of depth of unoccupied space across the whole width of the front of the lot at the curb level between the street line and the street wall of the building.

(b) In a D district an outer court or a side yard at any given height shall be at least three inches in least dimension for each one foot of such height. An outer court at any given point shall be at least three inches in least dimension for each one foot of length. On a lot not more than 30 feet in mean width an outer court or a side yard at any given height shall not be less than one and one-half inches in least dimension for each one foot of such height. On such lot an outer court at any given point shall be not less than one and one-half inches in least dimension for each one foot of length. On such lot an inner court at any given height shall be either (1) not less than three inches in least dimension for each one foot of such height or (2) it shall be of an equivalent area as specified in paragraph c of §18.

(c) In a D district no building shall occupy at the curb level more than 55 per cent of the area of the lot, if an interior lot, or 70 per cent if a corner lot, exclusive in each case of lawful garages. In computing such percentage any part of the area of any corner lot in excess of 5,000 square feet shall be considered an interior lot.

(d) If the owner or owners of any part of a D district set aside perpetually for the joint recreational use of the residents of such part designated by them, an area at least equal to 10 per cent of the area of such part in addition to all yard and court requirements for a C district, such part shall be subject to the regulations herein prescribed for a C district. Such joint recreational space shall be composed of one or more tracts, each of which shall be at least 40 feet in least dimension and 5,000 square feet in area and shall be approved by the Board of Standards and Appeals as suitable for the joint recreational use of such residents.

§14-A. **D-1 Districts.** (a) In a D-1 district no dwelling shall be erected or altered other than for occupancy by a single family. Two or more attached single family dwellings with party walls shall be permitted.

(b) In a D-1 district separate side yards for each dwelling shall not be required, but if provided, the minimum width of a side yard along the side lot line shall be 5 feet, for the full depth of the lot or back to the rear yard.

(c) In a D-1 district, when two or more dwellings are constructed with party walls, side yards shall be required at both ends of the group or row of houses, and the minimum sum of the widths of such side yards at the two ends of each group or row shall be 5 feet multiplied by the number of houses in the group or row.

(d) In a D-1 district, no portion of any building shall be erected nearer than 10 feet to the street line of any street as laid out upon the City map.

(e) In a D-1 district, no building shall be erected which does not comply with all the provisions in force in a D district.

§15. E Districts. (a) In an E district a rear yard at any given height shall be at least five inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 15 per cent of the depth of the lot, and in no case less than 15 feet at such level. If a building in an E district is located in a residence district as designated on the use district map, the depth of a rear yard at its lowest level shall be at least 25 per cent of the depth of the lot, but need not exceed 25 feet at such level. However, for each one foot in excess of 10 feet of the depth of such rear yard at its lowest level, there may be substituted one foot of depth of unoccupied space across the whole width of the front of the lot at the curb level between the street line and the street wall of the building. In an E district on at least one side of every building located within a residence district there shall be a side yard along the side lot line for the full depth of the lot or back to the rear yard, and the least dimension of such side yard for a multiple dwelling shall be not less than 15 feet.

(b) In an E district an outer court or side yard at any given height shall be at least three inches in least dimension for each one foot of such height. On a lot not more than 50 feet in mean width an outer court or a side yard at any given height shall be at least two and one-half inches in least dimension for each one foot of such height. An outer court at any given point shall be at least three inches in least dimension for each one foot of length.

(c) In an E district no building located within a residence district as designated on the use district map shall occupy at the curb level more than 50 per cent of the area of the lot, if an interior lot, or 70 per cent if a corner lot, and above a level of 18 feet above the curb level no building shall occupy more than 30 per cent of the area of the lot, if an interior lot, or 40 per cent if a corner lot, exclusive in each case of garages. In computing such percentage any part of the area of any corner lot in excess of 8,000 square feet shall be considered an interior lot.

(d) In an E district no portion of any building shall be erected nearer than 10 feet to the street line of any street as laid out upon the City map, and no portion of any multiple dwelling in a residence district shall be erected nearer to the street line of any street than the distance equal to 10 per cent of the depth of the lot, except that such distance need not exceed 20 feet.

(e) In an E district the floor area of a building shall not exceed 1.9 times the area of the lot, if an interior lot, or 2.5 times if a corner lot as computed in paragraph (c) of this section.

§15-A. E-1 Districts. (a) In an E-1 district no dwelling shall be erected or altered other than for occupancy by a single family or by two families. Two attached single family dwellings constructed with a party wall shall be permitted.

(b) In an E-1 district, when two single family dwellings are constructed with a party wall, the minimum sum of the widths of the side yards shall be 12 feet. In the case of two-family dwellings each dwelling shall have two side yards and the minimum sum of the widths of such side yards shall be 15 feet.

(c) In an E-1 district, no portion of any building shall be erected nearer than 15 feet to the street line of any street as laid out upon the City map.

(d) In an E-1 district, no building shall be erected which does not comply with all the provisions in force in an E district.

§16. F Districts. (a) In an F district no portion of any building shall be erected nearer than 15 feet to the street line of any street as laid out on the City map; and no portion of any multiple dwelling in a residence district shall be erected nearer to the street line of any street than a distance equal to 15 per cent of the depth of the lot, except that such distance need not exceed 30 feet.

(b) In an F district a rear yard at any given height shall be at least six inches in least dimension for each one foot of such height. The depth of a rear yard at its lowest level shall be at least 20 per cent of the depth of the lot, and in no case less than 20 feet at such level. Excepting that if a building in an F district is located in a residence district as designated on the use district map, the depth of a rear yard at its lowest level shall be at least 30 per cent of the depth of the lot, but need not exceed 30 feet at such level. However, for each one foot in excess of 15 feet of the depth of such rear yard at its lowest level, there may be substituted one foot of additional depth of unoccupied space to that hereinbefore provided across the whole width of the front of the lot at the curb level between the street line and the street wall of the building. In an F district, on both sides of every dwelling there shall be a side yard along the side lot line for the full depth of the lot or back to the rear yard, and the least dimension of each such side yard for a multiple dwelling shall be not less than 20 feet.

(c) In an F district an outer court or side yard at any given height shall be at least four inches in least dimension for each one foot of such height, excepting that on a lot not more than 50 feet in mean width an outer court or a side yard at any given height shall be at least three inches in least dimension for each one foot of such height. An outer court at any given point shall be at least four inches in least dimension for each one foot of length.

(d) In an F district no building shall occupy at the curb level more than 35 per cent of the area of the lot, if an interior lot, or 50 per cent if a corner lot, and above a level 18 feet above the curb level no building shall occupy more than 25 per cent of the area of the lot, if an interior lot, or 30 per cent if a corner lot, exclusive in each case of garages. In computing such percentage any part of the area of any corner lot in excess of 6,000 square feet shall be considered an interior lot.

(e) In an F district the floor area of a building shall not exceed 1.6 times the area of the lot, if an interior lot, or 1.9 times if a corner lot as computed in paragraph (d) of this section.

§16-A. F-1 Districts. (a) In an F-1 district, the floor area of a residence building shall not exceed 0.75 times the area of the lot.

(b) In an F-1 district, no building shall be erected which does not comply with all the provisions in force in an F district.

§16-B. G Districts. (a) In a G district no dwelling shall be erected or altered other than for occupancy by a single family.

(b) In a G district no portion of any building shall be erected nearer than 20 feet to the street line of the street on which it fronts.

(c) In a G district no portion of any building shall be erected nearer than 10 feet to either side line of the lot except that a one-story building or extension used exclusively for a garage may extend to within 5 feet of one side line provided that such building shall be at least 70 feet from the street line of the street, and except that on a lot not more than 50 feet in width any building may extend to within 5 feet of one side line and to within 10 feet of the other side line.

(d) In a G district no building shall be erected nearer than 15 feet to the rear line of the lot, except that a one-story building or extension used exclusively for a garage may extend to within 5 feet of such rear line of the lot.

(e) In a G district no building inclusive of a garage shall occupy at the curb level more than 35 per cent of the area of the lot, and above a level of 14 feet above the curb level more than 25 per cent of the area of the lot.

(f) In a G district no building shall be erected which does not comply with all the provisions in force in an F district.

§16-C. G-1 Districts. (a) In a G-1 district no dwelling shall be erected or altered other than for occupancy for a single family.

(b) In a G-1 district no portion of any building shall be erected nearer than 15 feet to the street line of the street on which it fronts.

(c) In a G-1 district each dwelling shall have two side yards of at least 5 feet each, extending the full depth of the lot, except that a one-story building or extension used exclusively for a garage, and located within the rear yard, may extend to the side lot line.

(d) In a G-1 district no building shall be erected nearer than 20 feet to the rear line of the lot, except that a one-story building or extension used exclusively for a garage may extend to such rear line of the lot.

(e) In a G-1 district no building inclusive of a garage shall occupy at the curb level more than 45 per cent of the area of the lot, and above a level of 14 feet above the curb level more than 35 per cent of the area of the lot.

(f) In a G-1 district no non-residential building shall be erected which does not comply with all the provisions in force in an F district.

§17. Rear Yards. (a) Except in A districts, lots or portions of lots that are back to back and lots the backs of which abut a residence use district shall have rear yards extending along the rear lot lines of such lots or portions of lots wherever they are more than 55 feet back from the nearest street. Such rear yard shall be at least of the area and dimensions herein prescribed for the area district in which it is located at every point along such rear lot line. Within 55 feet of the nearest street no rear yards shall be required, except in D-1, E-1, F, F-1 and G area districts. No rear yards shall be required on any corner lot except where it abuts a residence use district. Where such corner lot abuts a residence use district, there shall be a rear yard, located adjacent

to the residence use district. Except in E-1, F, F-1 and G area districts, no rear yard shall be required on the portion of any lot that is back to back with a corner lot.

(b) Where a building is not within a residence district, a local retail district, a restricted retail district, a retail district, or a retail-1 district, as designated on the use district map, the lowest level of a rear yard shall not be above the sill level of the second story windows, nor in any case more than 23 feet above the curb level. In an E, E-1, F, F-1 or G district the excess rear yard may remain at the level of the original or natural surface of the ground.

(c) Chimneys or flues may be erected within a rear yard provided they do not exceed five square feet in area in the aggregate and do not obstruct ventilation.

(d) Except in A districts, where a building on an interior lot between lots for which rear yards are required runs through the block from street to street or to within 55 feet of another street, there shall be on each side lot line above the sill level of the second story windows and in any case above a level 23 feet above the curb level a court of at least equivalent area at any given height to that required for an inner court at such height and having a least dimension not less than that required for an outer court at the same height.

(e) When a proposed building is on a lot which is back to back with a lot or lots on which there is a building or buildings having rear yards less in depth than would be required under this article, the depth of the rear yard of the proposed building shall not be required to be greater at any given level than the average depth of the rear yards directly back to back with it at such level, but in no case shall the depth of such rear yard be less at any height than the least dimension prescribed for an outer court at such height.

§18. Courts. (a) If a room in which persons live, sleep, work or congregate receives its light and air in whole or in part directly from an open space on the same lot with the building, there shall be at least one inner court, outer court, side yard or rear yard upon which a window or ventilating skylight opens from such room. Such inner court, outer court or side yard shall be at least of the area and dimensions herein prescribed for the area district in which it is located. Such rear yard shall be at least of the area and dimensions herein prescribed for an inner court in the area district in which it is located. In an A district, such inner court, outer court, side yard or rear yard shall be at least of the area and dimensions herein prescribed for a court in such district. The unoccupied space within the lot in front of every part of such window shall be not less than three feet, measured at right angles thereto. Courts, yards and other open spaces, if provided in addition to those required by this section, need not be of the area and dimensions herein prescribed. The provisions of this section shall not be deemed to apply to courts or shafts for bathrooms, toilet compartments, hallways or stairways.

(b) The least dimension of an outer court, inner court or side yard at its lowest level shall be not less than four feet, subject to the following exceptions:

(1) Where the walls bounding a side yard within the lot are not more than 25 feet in mean height and not more than 40 feet in length such least dimensions may be not less than three feet.

(2) In a D-1 district such least dimension shall be five feet.

(3) In an E district such least dimension shall be four feet.

(4) In an E-1, F, F-1 or a G district such least dimension shall be five feet.

(5) Where any outer court opens on a street such street may be considered as a part of such court.

(c) The least dimension of an inner court at any given height shall be not less than that which would be required in inches for each one foot of height for a rear yard of the same height, except that an inner court of equivalent area may be substituted for said court, provided that for such area its least dimension be not less than one-half of its greatest dimension. If an inner court is connected with a street by a side yard, for each one foot that such side yard is less than 65 feet in depth from the street, one square foot may be deducted from the required area of the inner court for each 15 feet of height of such court. If the lot is not required under this resolution to have a rear yard, an outer court, not opening on a street, shall open at any level on an inner court on the rear line of the lot and such inner court shall be deemed a rear yard in such case.

(d) In an E, F or F-1 district, excess court space may remain at the level of the original or natural surface of the ground.

§19. Area District Exceptions. (a) The area required in a court or yard at any given level shall be open from such level to the sky unobstructed, except for the

ordinary projections of skylights and parapets above the bottom of such court or yard, and except for the ordinary projections of window sills, belt courses, cornices and other ornamental features to the extent of not more than four inches. Roofed porches shall not encroach into any portion of required yards or courts. However, where a side yard or an outer court opens on a street a cornice may project not over five feet into such side yard or outer court within five feet of the street wall of the building; and provided that in an E or E-1 district a one-family residence, detached on all sides and having on one side a side yard of a clear and unobstructed width of not less than five feet, may have a cornice or eave projecting not more than 2 feet 6 inches into a side yard on the opposite side with the further provision that in an F, F-1 or a G district such cornice or eave, or a porte-cochere having a height of less than 18 feet, may project not more than 3 feet into both side yards.

(b) An open or lattice enclosed iron fire escape, fireproof outside stairway or solid-floored balcony to a fire tower may project not more than 4 feet into a rear yard or an inner court, except that an open or lattice enclosed iron fire escape may project not more than 8 feet into a rear yard or into an inner court when it does not occupy more than 20 per cent of the area of such inner court.

(c) A corner of a court or yard may be cut off between walls of the same building provided that the length of the wall of such cut-off does not exceed 7 feet.

(d) An offset to a court or yard may be considered as a part of such court or yard provided that it is no deeper in any part than it is wide on the open side and that such open side be in no case less than 6 feet wide.

(e) If a building is erected on the same lot with another building, the several buildings shall, for the purposes of this article, be considered a single building, unless otherwise herein specifically provided for. In applying permitted ground coverage percentages to an addition to an existing building, on any land area over and above that which was required for the existing structure by the Zoning Resolution or any other law at the time of its erection, such addition shall be considered separately and not in combination with the existing structure, but such addition shall not change the status of an existing building which is lawfully non-conforming.

Any structure, whether independent of or attached to a building, shall for the purpose of this article be deemed a building, an addition to a building, or a part of a building.

(f) If an additional story or stories are added to a building existing at the time of the passage of this resolution, the courts and yards of which do not conform to the requirements of this article, the least dimensions of yards and courts shall be increased from the top of the existing yard or court walls as though they were of the prescribed dimensions at such heights and the carrying up of existing elevator and stair enclosures shall be exempted from the provisions of this article.

(g) In any use district, except a residence district, where provision is made for parking or unloading within a building, the area of such parking and unloading facilities may be added to the area permitted to be occupied by the first floor of the building. Except for the first floor, the building shall be otherwise limited by the restrictions set forth in this article.

§19-A. Loading Space. (a) Every building or part thereof hereafter erected, which is arranged, intended or designed to be used for manufacture, storage, or goods display, or for a department store, hotel or hospital, shall be provided with one truck loading or unloading berth of a minimum size of 25 feet by 10 feet for each 25,000 square feet and fraction thereof exceeding 5,000 square feet of aggregate gross floor area arranged, intended or designed for such use. The minimum clear height of such space, including access to it from the street, shall be 12 feet. Such requirements shall not apply to any such building having less than 25,000 square feet of aggregate gross floor area arranged, intended or designed for such use;

(b) No building or part thereof heretofore erected, which is arranged, intended or designed for any of the purposes specified above shall hereafter be altered, extended or enlarged so as to provide aggregate floor space in excess of 25,000 square feet, unless truck loading or unloading berths are provided as required for buildings hereafter erected;

(c) No building that is not arranged, intended or designed for use for the purposes specified above shall be hereafter used for such purposes unless truck loading or unloading berths as herein prescribed are provided.

(d) Where such loading space does not adjoin the street, convenient and adequate access, at least 12 feet in width, to such space shall be provided.

ARTICLE V—GENERAL AND ADMINISTRATIVE

§20. Interpretation; Purpose. In interpreting and applying the provisions of this resolution, they shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. It is not intended to abrogate or annul ordinances, rules, regulations or permits previously adopted or issued, or which shall be adopted or issued pursuant to law relating to the use of buildings or land except as otherwise provided in this resolution. Where this resolution imposes greater restriction upon the use of a building or land or upon the height and bulk of a building, or prescribes larger open spaces than are required by such ordinances, rules, regulations or permits, this resolution shall control.

§21. Rules and Regulations; Modification of Provisions. The Board of Standards and Appeals shall adopt from time to time such rules and regulations as they may deem necessary to carry into effect the provisions of this resolution. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of this resolution the Board of Standards and Appeals shall have power in a specific case to vary any such provision in harmony with its general purpose and intent, so that the public health, safety and general welfare may be secured and substantial justice done. Where the street layout actually on the ground varies from the street layout as shown on the use, height or area district map, the designation shown on the mapped areas shall be applied by the Board of Standards and Appeals to the unmapped streets in such a way as to carry out the intent and purpose of the plan for the particular section in question. Before taking any action authorized in this section the Board of Standards and Appeals shall give public notice and hearing.

§21-A. Restrictions on Location of Garages, Gasoline Service Stations. Except as provided in §6 and §7(g), no premises may be used as a gasoline service station or oil selling station, or as a garage for more than five motor vehicles, and no building may have its use changed to any such use, if any vehicular entrance to or exit from such premises or building is situated on either side of any portion of a street between two intersecting streets, on which portion there exists an exit from or an entrance to: a public school, a public school playground, a public park or public playground of one-half acre or more in area, a hospital maintained as a charitable institution, a public library, or a public museum; and in no case within 200 feet from the nearest exit from or entrance to any of such uses, but the prohibition shall not apply beyond 900 feet measured in a straight line; also no portion of any such premises or building may be within 200 feet of any hospital maintained as a charitable institution. This protection for schools shall extend to schools maintained by an established religious group or schools registered under regulations prescribed by the Board of Regents, in addition to schools maintained by the public school authorities. This section shall apply to all use districts. Where a certificate of occupancy has been issued and where all other requirements of law, rules and regulations have been complied with, the existing use of such premises may be continued unless such use shall have been determined, after a public hearing by the Board of Standards and Appeals, to be a hazard to life, health or the general welfare. Any public agency, department head or public institution may appeal to the Board of Standards and Appeals to terminate such existing use, stating the reasons therefor. In considering the termination of an existing use, the Board shall give due consideration to the general welfare and to the investment involved. The Board may continue or terminate the said use, subject to such conditions as it may prescribe.

§21-B. Additional Advertising Sign Restrictions. No advertising sign shall hereafter be erected, placed or painted, nor shall any existing advertising sign be structurally altered, in any use district within 200 feet of an arterial highway shown as a "principal route," "parkway" or "toll crossing" on the "Master Plan of Arterial Highways and Major Streets," provided such arterial highway has been designated by the City Planning Commission as an arterial highway to which the provisions of this section shall apply, or within 200 feet of a public park of one-half acre or more in area, if such advertising sign is within view of such arterial highway or park.

§21-C. Site Plans for Large Residential Developments. Upon presentation to the Board of Standards and Appeals of a site plan showing the locations of dwellings and open spaces on an area not less than 75,000 square feet in extent, the Board, after public notice and hearing and after a favorable report from the City Planning Commission, may grant a variance from the use, height and area provisions of this resolution; provided that the ratio of the floor area of the building or buildings to the area of the lot does not exceed that permitted by this resolution; and further provided that the

SECTION 23 AS AMENDED
Effective May 13, 1948

§ 23. Enforcement, Legal Procedure, Penalties.

This resolution shall be enforced by the Department of Housing and Buildings. The Commissioner of Housing and Buildings, to insure the protection of the public health, safety and general welfare, shall promulgate, and publish rules and regulations relating to the use of vacant land in business, business-1, retail and retail-1 use districts for the parking and storage of automobiles and shall provide for compliance therewith.

It is hereby empowered to cause any building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of the Zoning Resolution. Such order may be served in the same manner as provided in §643a-6.0 of the Administrative Code.

The owner or general agent of a building or premises where a violation of any provision of said Zoning Resolution has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist or the general agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building or premises or any part thereof in which any violation shall exist shall be guilty of a misdemeanor.

Any such person who having been served with an order to remove any such violation shall fail to comply with said order within ten days after such service or shall continue to violate any provision of the said Zoning Resolution in the respect named in such order shall be guilty of a misdemeanor.

In addition to the foregoing remedies the City of New York by the Corporation Counsel may maintain an action for an injunction to restrain any violation of the said Zoning Resolution.

Board is satisfied that the provision of light and air is in all respects adequate to the special circumstances of the particular case and at least equivalent to the requirements of this resolution; and further provided that the minimum distance between any two buildings is not less than 6 inches per foot of height and in no case less than 20 feet.

§21-D. Bus Stations. (a) No building or premises shall be erected or used as a bus station unless such use is authorized in accordance with §21-D (b) of this Article.

(b) The City Planning Commission may in any use district except a residence use district or areas designated as exceptionally congested traffic areas approve the use, subject to appropriate conditions and safeguards, of any premises as a bus station upon the application of the owner thereof for such use if after public notice and hearing the Commission determines that the use of the premises as a bus station will not create serious traffic congestion, will not be detrimental to public health or general welfare, and is consistent with the master plan of the city. The application shall contain a site plan showing the location and use of buildings and structures to be placed on the premises and such other information as may be required by the Commission. Such approval, together with a copy of the application, shall be filed with the Secretary of the Board of Estimate within five days after its adoption. If such plan is also approved by the Board of Estimate by a majority vote, the use of such premises for a bus station as outlined in the site plan shall become authorized.

(c) Premises lawfully in use as a bus station at the time this section becomes effective, may be continued for such use for the remainder of the term for which the same may have been permitted but shall not be enlarged, extended or reconstructed except upon approval in accordance with the procedure provided in paragraph (b) hereof. None of the provisions of §7, Use District Exceptions, shall apply to bus stations.

(d) The City Planning Commission may, after duly held public hearings, designate areas in the city which are exceptionally congested traffic areas and thereafter no additional bus station shall be established and no existing bus station then lawfully in use shall be enlarged, extended or reconstructed within such areas.

§22. Unlawful Use; Certificate of Occupancy. It shall be unlawful to use or permit the use of any building or premises or part thereof hereafter created, erected, changed or converted wholly or partly in its use or structure until a certificate of occupancy to the effect that the building or premises or the part thereof so created, erected, changed or converted and the proposed use thereof conform to the provisions of this resolution shall have been issued by the Department of Housing and Buildings. In the case of such buildings or premises it shall be the duty of the Department of Housing and Buildings to issue a certificate of occupancy within ten days after a request for the same shall be filed in its office by any owner of a building or premises affected by this resolution, provided said building or premises or the part thereof so created, erected, changed or converted and the proposed use thereof conform with all the requirements herein set forth. Under rules and regulations of the Board of Standards and Appeals a temporary certificate of occupancy for a part of a building may be issued by the Department of Housing and Buildings. Upon written request from the owner, the Department of Housing and Buildings shall issue a certificate of occupancy for any building or premises existing at the time of the passage of this resolution certifying after inspection the use of the building or premises and whether such use conforms to the provisions of this resolution.

§22-A. Lapse of Variance. After the Board of Standards and Appeals has varied the provisions of this resolution, or after the court has reversed or modified the action of the Board pursuant to §668e-1.0 of the Administrative Code, the variance so granted shall lapse after the expiration of one year, if no substantial construction has taken place in accordance with the plans for which such variance was granted, and the provisions of this resolution shall thereafter govern.

§23. Enforcement, Legal Procedure, Penalties. This resolution shall be enforced by the Department of Housing and Buildings under the rules and regulations of the Board of Standards and Appeals.

It is hereby empowered to cause any building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of the Zoning Resolution. Such order may be served in the same manner as provided in §643a-6.0 of the Administrative Code.

The owner or general agent of a building or premises where a violation of any provision of said Zoning Resolution has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist or the owner, general agent, lessee or tenant of any part of the

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building or premises in which such violation has been committed or shall exist or the general agent, architect, bullder, contractor, or any other person who commits, takes part or assists in any such violation or who maintains any building or premises or any part thereof in which any violation shall exist shall be guilty of a misdemeanor.

Any such person who having been served with an order to remove any such violation shall fail to comply with said order within ten days after such service or shall continue to violate any provision of the said Zoning Resolution in the respect named in such order shall be guilty of a misdemeanor.

In addition to the foregoing remedies the City of New York by the Corporation Counsel may maintain an action for an injunction to restrain any violation of the said Zoning Resolution.

§24. Amendments, Alterations and Changes in District Lines. The City Planning Commission may from time to time on its own motion, after public notice and hearing, adopt a resolution to amend, supplement or change the regulations and districts herein established, pursuant to the provisions of the New York City Charter. Whenever during the month of April in any year, the owners of 50 per cent or more of the area in any district or part thereof shall present a petition duly signed and acknowledged to the City Planning Commission requesting an amendment, supplement, change or repeal of the regulations prescribed for such district or part thereof, it shall be the duty of the Commission to vote upon said petition during the months of May or June of that year. If, however, a protest against a proposed amendment, supplement or change be presented, duly signed and acknowledged by the owners of 20 per centum or more of the area of the land included in such proposed change, or by the owners of 20 per centum or more of the area of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20 per centum or more of the area of land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such amendment shall not be passed except by an unanimous vote of the Board of Estimate. If any area is hereafter transferred to another district by a change in district boundaries by an amendment, as above provided, the provisions of this resolution in regard to buildings or premises existing at the time of the passage of this resolution shall apply to buildings or premises existing at the time of passage of such amendment in such transferred area.

§25. Restoration of Existing Buildings. Nothing in this resolution shall prevent the restoration of a building wholly or partly destroyed by fire, explosion, act of God or act of the public enemy or prevent the continuance of the use of such building or part thereof as such use existed at the time of such destruction of such building or part thereof.

§26. When Effective. The zoning resolution of July 25, 1916, and all amendments thereto are hereby declared superseded by this resolution, which shall take effect immediately.

APPENDIX—MAP DESIGNATIONS AND MAP DESIGNATION RULES ACCOMPANYING ZONING RESOLUTION OF THE CITY OF NEW YORK.

HEIGHT DISTRICT MAP DESIGNATIONS

———— indicates the boundary of a Height District.

(¼) (½) (¾) (1) (1¼) (1½) (2) (2½) are symbols for district classifications as defined in the zoning resolution.

HEIGHT DISTRICT MAP DESIGNATION RULES

1. An area surrounded by a district boundary line shall be in the Height District designated therein.

2. The boundaries of Height Districts shall be the limiting line to which the height regulations provided in any given district may be availed of.

3. The precise location of a boundary line is to be interpreted as follows:

(a) In cases where the district boundary is within a block and extends in the direction of the length of the block and no fixtures are shown, said boundary shall be deemed to be located 100 feet from the bounding street lying within the less restrictive district.

(b) In cases where the district boundary is within a block and extends in the direction of the width of the block and no fixtures are shown, said boundary shall be deemed to be located 100 feet from the nearest street.

(c) In cases where the boundary line is shown by fixture as being located a specific distance from the street line, this distance shall control.

(d) In cases where the boundary line is given a position within the street, it shall be deemed to be in the center of the street.

(e) In cases where a boundary line is shown as adjoining a railroad, unless otherwise fixed, it shall be deemed to coincide with the boundary line of the railroad right-of-way.

(f) In cases of navigable waters, the boundary line, unless otherwise fixed, shall be deemed to coincide with the pierhead line, except in cases where no pierhead line has been established, when the shore line shall control.

(g) Any island outside of the shore or pierhead lines, unless otherwise designated, shall be deemed to be in a Class 2 Height District.

AREA DISTRICT MAP DESIGNATIONS

— — — — — indicates the boundary of an Area District.

(A) (B) (C) (D) (D-1) (E) (E-1) (F) (F-1) (G) are symbols for district classifications as defined in the zoning resolution.

AREA DISTRICT MAP DESIGNATION RULES

1. An area surrounded by a district boundary line shall be in the Area District designated therein.

2. The boundaries of Area Districts shall be the limiting line to which the area regulations provided in any given district may be availed of.

3. The precise location of a boundary line is to be interpreted as follows:

(a) In cases where the district boundary is within a block and extends in the direction of the length of the block and no fixtures are shown, said boundary shall be deemed to be located 100 feet from the bounding street lying within the less restrictive district.

(b) In cases where the district boundary is within a block and extends in the direction of the width of the block and no fixtures are shown, said boundary shall be deemed to be located 100 feet from the nearest street.

(c) In cases where the boundary line is shown by fixture as being located a specific distance from a street line, this distance shall control.

(d) In cases where the boundary line is given a position within a street, it shall be deemed to be the center of the street.

(e) In cases where a boundary line is shown as adjoining a railroad, unless otherwise fixed, it shall be deemed to coincide with the boundary line of the railroad right-of-way.

(f) In cases of navigable waters, the boundary line, unless otherwise fixed, shall be deemed to coincide with the pierhead line, except in cases where no pierhead line has been established, when the shore line shall control.

(g) Any island outside of the shore or pierhead lines, unless otherwise designated, shall be deemed to be in an A district.

USE DISTRICT MAP DESIGNATIONS



indicates the boundary of a Use District.



indicates Residence District.



indicates Local Retail District.



indicates Restricted Retail District.



indicates Retail District.



indicates Retail-1 District.



indicates Business District.



indicates Business-1 District.



indicates Manufacturing District.



indicates Unrestricted District.



indicates Undetermined area for which no restriction or regulation as to Use has been established.

USE DISTRICT MAP DESIGNATION RULES

1. An area surrounded by a district boundary line shall be in the Use District designated therein.

2. The boundaries of Use Districts shall be the limiting line to which the use regulations permissible in any given district may be availed of.

3. In general, Use Districts are intended to have a depth of 100 feet.

4. The precise location of a boundary line is to be interpreted as follows:

(a) In case of parallel streets, unless otherwise fixed, the Use District boundary line shall coincide with the centre line of the block, except that when block widths are less than 200 feet and no fixtures are shown, the district boundary shall be deemed to be 100 feet from the street to which the less restrictive designation relates.

(b) In case of streets which are not parallel, the Use District boundary, unless otherwise fixed, shall be construed as the bisector of the angle formed by prolonging the street lines to an intersection.

(c) In cases where a block has a length in excess of 200 feet and the boundary line extends in the direction of the width of the block and no fixtures are shown, its position shall be deemed to be located 100 feet from the nearest street.

(d) In cases where the boundary line is shown by fixture as being located a specific distance from a street line, this distance shall control.

(e) In cases where the boundary line is given a position within a street, it shall be deemed to be in the center of the street.

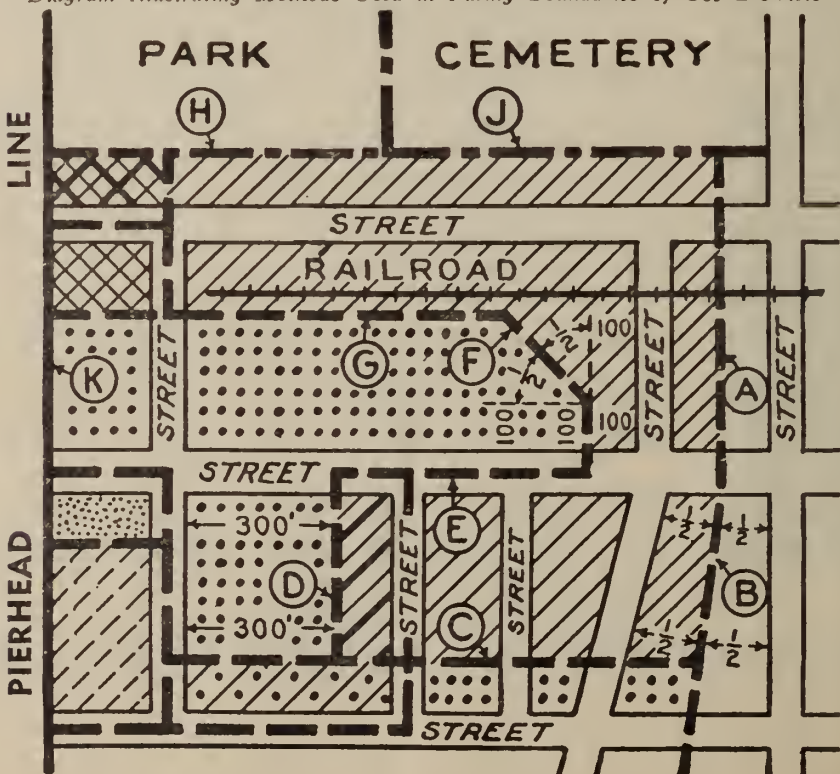
(f) In cases where a boundary line is shown as having a position oblique to the streets bounding the block in which it is located, unless otherwise fixed it shall be deemed to be the bisector of the angle formed by intersecting lines 100 feet from and parallel with the bounding streets, the said distance being measured at right angles or normal to the street lines.

(g) In cases where a boundary line is shown as adjoining a railroad, unless otherwise fixed, it shall be deemed to coincide with the boundary line of the railroad right-of-way.

(h-j-k) In cases of parks, cemeteries and navigable waters, the boundary line, unless otherwise fixed, shall be deemed to coincide with the boundary line of the park, or the cemetery, or the pierhead line, except in cases where no pierhead line has been established, when the shore line shall control.

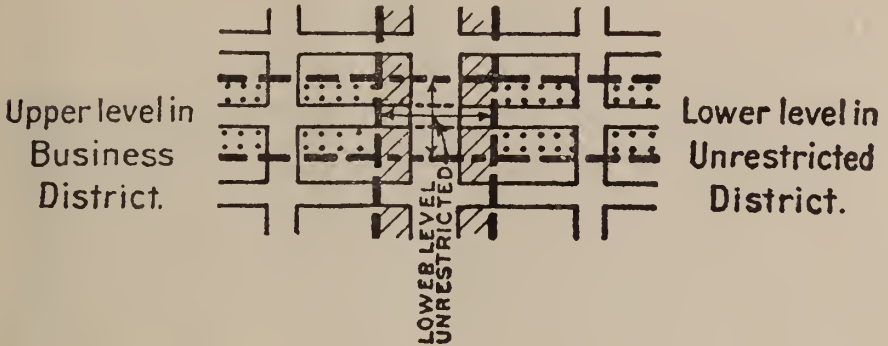
(l) Any island outside of the shore or pierhead lines, unless otherwise designated, shall be deemed to be in an undetermined area.

Diagram Illustrating Methods Used in Fixing Boundaries of Use Districts



5. Where two streets cross at different levels, the use designation of the lower street shall control, except that when the use designation of the lower street is less restrictive it shall control only to the curb level of the higher street. Above the curb level of the higher street the more restrictive designation shall apply for a distance of 100 feet measured along the intersecting streets from each street corner.

Diagram Illustrating Two Level Streets



ADDENDA

ZONING EXCERPTS FROM NEW YORK CITY CHARTER

(Adopted November 3, 1936)

(Effective January 1, 1938)

Zoning regulations.

§200. Any existing resolution or regulation of the board of estimate to regulate and limit the height and bulk of buildings, to regulate and determine the area of yards, courts and other open spaces or to regulate and restrict the locations of trades and industries and the location of buildings designed for specific uses or creating districts for any such purpose, including any such regulation which provides that the board of standards and appeals may determine and vary the application of such resolutions or regulations in harmony with their general purpose and intent and in accordance with general or specific rules contained in such regulations, may be amended, repealed or added to only in the following manner: the commission may upon its own initiative at any time or upon application as provided in section two hundred one, adopt a resolution for any such purpose subject to the limitations provided by law. Before adopting any such resolution, the commission shall afford persons interested an opportunity to be heard at a time and place to be specified in a notice of hearing to be published in the City Record for the ten days of publication of the City Record immediately prior thereto. Any such resolution shall be filed with the secretary of the board of estimate within five days from the date of its adoption. Unless the board of estimate shall modify or disapprove such resolution by a three-fourths vote within thirty days from the date of filing, it shall thereupon take effect, except that in case a protest against a proposed resolution shall have theretofore been presented, duly signed and acknowledged by the owners of twenty per centum or more of the area of the land included in such proposed change, or by the owners of twenty per centum or more of the area of the land immediately adjacent extending one hundred feet therefrom, or by the owners of twenty per centum or more of the area of land directly opposite thereto extending one hundred feet from the street frontage of such opposite land, such resolution shall not be effective unless approved by the board of estimate by unanimous vote of the entire board.

Applications.

§201. Applications for changes in resolutions or regulations referred to in the preceding section may be filed by any taxpayer with the commission only during the period from the first day of April to the thirtieth day of April, both inclusive, in any year. The Commission may consider and act upon such applications only during the period beginning on the fifth day of May and ending on the thirtieth day of June, both inclusive, of each year and may during such period hold public hearings thereon, notice of which shall be given in the same manner as provided in the preceding section.

**ZONING EXCERPTS
FROM
ADMINISTRATIVE CODE OF THE CITY OF NEW YORK**

(Effective January 1, 1938)

§200-1.0. City planning commission to regulate the height and bulk of buildings and areas of yards, courts and open spaces.—The commission, subject to the provisions of sections two hundred and two hundred one of the charter, shall have power to regulate and limit the height and bulk of buildings and to regulate and determine the area of yards, courts and other open spaces. The commission, subject to the same limitations, may divide the city into districts of such number, shape and area as it may deem best suited to carry out such purposes. The regulations as to height and bulk of buildings and the area of yards, courts and other open spaces shall be uniform for each class of buildings throughout each district. The regulations in one or more districts may differ from those in other districts. Such regulations shall be designed to secure safety from fire and other dangers and to promote the public health and welfare, including, so far as conditions may permit, provisions for adequate light, air and convenience of access. The commission shall pay reasonable regard to the character of buildings erected in each district, the value of the land and the use to which it may be put, to the end that such regulations may promote public health, safety and welfare and the most desirable use for which the land of each district may be adapted and may tend to conserve the value of the buildings and may enhance the value of land throughout the city.

§200-2.0. City planning commission to regulate location of trades and industries and of buildings designed for specific uses.—The commission, subject to the provisions of sections two hundred and two hundred one of the charter, may regulate and restrict the location of trades and industries and the location of buildings designed for specific uses, and may divide the city into districts of such number, shape and area as it may deem best suited to carry out such purposes. For each such district regulations may be imposed designating the trades and industries that shall be excluded or subjected to special regulations and designating the uses for which buildings may not be erected or altered. Such regulations shall be designed to promote the public health, safety and general welfare. The commission shall give reasonable consideration, among other things, to the character of the district, its peculiar suitability for particular uses, the conservation of property values, and the direction of building development in accord with a well-considered plan.

EXCERPTS FROM RULES OF PROCEDURE FOR THE CONDUCT OF THE BUSINESS OF THE CITY PLANNING COMMISSION

A—GENERAL RULES

101. The regular public meetings of the Commission shall be held each Wednesday at 2.30 p. m. in Room 16, City Hall, unless otherwise ordered.
102. Special public meetings may be called by the Chairman or by four members.
103. A quorum shall consist of four members.
104. Final action by the Commission shall be by the affirmative vote of not less than four members at a meeting open to the public.
105. Except by unanimous consent, matters upon which public hearings are required by law shall lie over until a regular meeting following the public hearing.
106. The order of business at regular public meeting shall be as follows:
 - (a) Roll call.
 - (b) Approval of minutes of previous meetings.
 - (c) Adoption of reports.
 - (d) Fixing dates for future hearings.
 - (e) Hearings.
107. Matters not on the calendar shall be considered only by unanimous consent.
108. The Chair shall direct a roll call upon every proposition to be acted upon, and all votes shall be taken by the ayes and nays.
109. The vote upon every proposition voted upon shall be recorded in the minutes.
110. At public hearings those opposed to a proposition shall be heard first and then those in favor thereof, unless otherwise ordered.
111. City employees designated by the Commission shall be the only persons assigned within the guard rail of the dais during public meetings.
112. All reports, whether from members of the Commission or staff of the Department of City Planning, shall be incorporated in the record.
113. All proposals scheduled for public hearings shall be duly advertised in accordance with Charter provisions.

B—THE SECRETARY TO THE COMMISSION NOTICES, CALENDARS, MINUTES AND COMMUNICATIONS

201. Notice of all special meetings shall be given to each member by the Secretary.
202. The Secretary shall prepare a calendar of the business to be presented and considered at each public meeting. The matters thereon shall be arranged in the order prescribed by the order of business (Rule 106), and shall be properly classified. The Secretary shall also keep a record of undetermined matters, which have been laid over.
203. The Secretary shall close the calendar at 4 p. m. on the Thursday before each Wednesday meeting.
204. The Secretary shall cause the minutes of each public meeting to be printed in THE CITY RECORD and shall thereafter cause the same to be printed and bound in volumes of convenient size, with an index thereto.
205. At the request of any member, minutes and a record of votes at executive meetings shall be taken.
206. All communications, petitions and reports intended for consideration shall be addressed to the Commission and delivered at or mailed to the Secretary's office and shall consist of an original accompanied by nine copies.
207. The Secretary shall transmit to the Board of Estimate and other City departments affected thereby true copies of all reports and resolutions adopted.

F—PETITIONS REQUESTING A CHANGE OF ZONE PURSUANT TO SECTION 201 OF THE CHARTER

601. A petition requesting a change of a building zone map should be addressed to the Commission, rather than to an individual, and must contain the original signatures of the petitioners and nine copies, which may be typewritten, including the signatures, and must state clearly and concisely:

- (a) The change desired.
- (b) The reasons therefor.
- (c) The boundaries of the proposed change.
- (d) A description of the property of each petitioner by block and lot number.
- (e) Each signed sheet shall contain the same heading.

602. All signatures to a petition must be duly acknowledged before a notary. Individual acknowledgments may be taken or a subscribing witness may witness and acknowledge the signatures of one or more petitioners. In the case of corporate petitioners, the corporate name shall be signed by an officer thereunto duly authorized, the corporate seal shall be affixed and a corporate form of acknowledgment executed.

603. Petitions containing the duly acknowledged signatures of the owners of at least 50 per cent of the area sought to be changed will be noticed for hearing. Petitions containing the duly acknowledged signatures of the owners of not less than 20 per cent of the area sought to be changed will be considered to determine whether the public interest requires the initiation by the Commission of a proceeding for such change in zone.

604. At least three identical posters, not less than 8½ by 11 inches in size, describing the proposed change and stating that all persons interested in the change will be notified of the date fixed by the Commission for a public hearing on the matter, provided they file written requests for such notice with the Secretary to the Commission, must be conspicuously exhibited for at least one week within one month prior to the submission of the petition. These posters must be placed not more than 200 feet apart along the entire length of the frontages sought to be changed and on any streets in the rear less than 300 feet distant therefrom. A copy of this poster must be submitted with the petition.

605. A notice containing information similar to that contained in the poster must be sent by registered mail, return receipt requested, to every property owner within the area sought to be changed, the area immediately adjacent thereto for a distance of 100 feet, and the area directly opposite thereto for a distance of 100 feet from such opposite frontage. Return receipt cards and a copy of the notice must be submitted with the petition.

606. A list containing the names of all owners to whom notices are sent, together with information concerning the location and extent of their property, must be submitted with the petition.

607. A sworn statement from the petitioner or his representative, stating that posters have been exhibited and notices sent by registered mail to affected property owners, as required by these rules, must be submitted with the petition.

608. Forms for the petition, the sworn statement (proof of service), posters and notices are available at the office of the Commission where they may be obtained at a cost of three cents each, or the petitioner may prepare and use similar forms of his own.

G—SUSPENSION OF RULES

701. The suspension of any of these rules may be ordered by unanimous vote.

SUGGESTIONS FOR THE PREPARATION OF ZONING PETITIONS

Zoning petitions should include a precise description of the area involved with limits, or boundary lines, referenced to street lines rather than to lot or property lines.

The property of each petitioner should be accurately described, preferably by block and lot numbers. If described by house number, the width of plot frontage should also be stated. When more than one owner is involved in a particular parcel of property this fact should be stated.

Reasons for requesting the desired change of zoning may be included in the Petition or submitted separately.

Submission by petitioners of a diagram showing the street and property lines within the area proposed to be rezoned, as well as that immediately adjacent and directly opposite thereto, will aid the Commission in locating the holdings of the petitioners and of the owners who have been notified of the proposed zoning change.

In computing the area of property covered by a zoning petition, the area occupied by streets is excluded from the computation.

If petitioners' signatures are acknowledged individually, it is not necessary to have a witness to the signatures. If acknowledgment is by one or more subscribing witnesses, the name of the witness to the signatures on each sheet of the petition should be signed on that sheet and if the signatures on any sheet have been taken by more than one witness, the name or initials of the witness should be placed opposite the signatures which he or she has witnessed.

A subscribing witness cannot acknowledge the signature for a corporation. The corporate form of acknowledgment should be used in this case with the corporation seal affixed.

A sworn statement is not considered an acceptable acknowledgment. The suitable accompanying form of acknowledgment should be used.

It is suggested that persons planning to request a change of zoning consult the office of the Commission regarding the proposed changes before submitting their petition.

SUGGESTED FORM OF PETITION REQUESTING A CHANGE OF ZONE

To the City Planning Commission, 2700 Municipal Building, N. Y. C.:

We, the undersigned, owners of the property set opposite our names, hereby request a change of zone by changing from a District to a District the property abutting on both sides of street from avenue to avenue (or, the property within the territory bounded by a line 100 feet north of street, avenue, etc.) in the Borough of

| Name of Owner | Description of Property | Witness |
|---------------|-------------------------|---------|
| 1. | | |
| 2. | | |
| 3. etc..... | | |

FORMS OF ACKNOWLEDGMENTS

Individual

STATE OF NEW YORK }
COUNTY OF } SS.

On the day of, 194., before me personally appeared, to me known and known to me to be the individual described in and who executed the accompanying petition (protest), and he declared to me that he is the owner of

(define property)

and he acknowledged to me that he executed the instrument as being in favor of (opposed to) rezoning.

.....
Notary Public or Commissioner of Deeds

Corporation

STATE OF NEW YORK }
COUNTY OF } SS.

On the day of, 194., before me personally appeared, known to me and known to me to be the person described in and who executed the foregoing instrument, who being by me first duly sworn, did depose and say: That resides in that is the of the the corporation described in and which executed the foregoing instrument; that knows the seal of said corporation; that the seal so affixed to said instrument is said corporate seal; that it was affixed thereto by order of the Board of Directors; that signed name thereto by like order, and that the said corporation is the owner of

(describe property)

.....
Notary Public or Commissioner of Deeds

Subscribing Witness

STATE OF NEW YORK }
COUNTY OF } SS.

On this day of, 194., personally appeared before me the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides in that he knows to be the individuals described in and who executed the foregoing instrument; that said subscribing witness, was present and saw execute the same, that each one, separately and severally, stated that he or she was the owner, at the time of executing the foregoing instrument, of the property described opposite his or her respective name; and that said witness, at the same time subscribed name as witness thereto.

.....
Notary Public or Commissioner of Deeds

Form A

NOTICE TO BE SERVED ON OWNERS OF PROPERTY AFFECTED

Please Take Notice:

That an application will be made to the City Planning Commission by.....
others for an amendment of the Zoning Resolution by changing
 from to
 the following premises.....

 and this notice is sent to you as the owner of property affected by the proposed amend-
 ment.

The New York City Charter provides that the City Planning Commission may after public notice and hearing change the regulations and district boundaries. Public notice is given by advertising a proposed amendment ten consecutive days in THE CITY RECORD prior to the date of the hearing. Notice of the date set for the public hearing will be sent to you not less than ten days in advance of that date, provided you file a written request for such notice with the Secretary to the City Planning Commission, Municipal Building, New York, N. Y.

The New York City Charter provides that in case a protest against a proposed amendment be presented, duly signed and acknowledged by the owners of 20 per centum or more of the area of the land included in such proposed change or by the owners of 20 per centum or more of the area of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20 per centum or more of the area of land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such amendment shall not be effective unless approved by unanimous vote of the entire Board of Estimate. Protests to be considered under this provision must describe the extent and the location of the property owned and must be accompanied by a legal form of acknowledgment made by the owner of such property.

This notice is sent to you by the applicant, pursuant to the provisions of a resolution adopted by the City Planning Commission on March 16, 1938.

Respectfully,

.....
 Applicant

Dated.....194...

Form B

PROOF OF SERVICE

Concerning application to the City Planning Commission
for amending Zoning Resolution

STATE OF NEW YORK }
CITY OF NEW YORK } SS.
COUNTY OF }

.....being duly sworn,
deposes and says that.....he is over twenty-one years of age and resides at.....
.....
in the Borough of....., in the City of New York, in
the County of....., in the State of New York; that..... he
is one of the applicants for an amendment to the Zoning Resolution before the City
Planning Commission, of the City of New York for a change from.....
..... to
..... for the following premises.....

.....
that.....he submits herewith a list containing the names and addresses of all owners of
property within the area affected and opposite or adjacent thereto to a depth of 100
feet, together with evidence in the form of return cards indicating that a registered
notification has been sent to all such owners of the intent to apply for the proposed
amendment; and that within a period of one month prior to the date of filing the
petition with the Secretary of the City Planning Commission.....he has conspicuously
exhibited and maintained for at least one week, at intervals of not more than 200 feet
and at least three in number along the entire line of the frontages proposed to be changed
and on any streets in the rear less than 300 feet distant therefrom, identical posters not
less than 8½ inches by 11 inches in size, describing the change, such poster containing
a statement to the effect that all persons interested in the proposed amendment will be
notified of the date fixed by the City Planning Commission for a public hearing in the
matter, provided that they register their names and addresses with the Secretary of the
Commission, true copy of the poster being furnished herewith to the Secretary with this
affidavit.

SWORN TO BEFORE ME, THIS.....
DAY OF194.....

.....
Sign here

Form C

CITY PLANNING COMMISSION

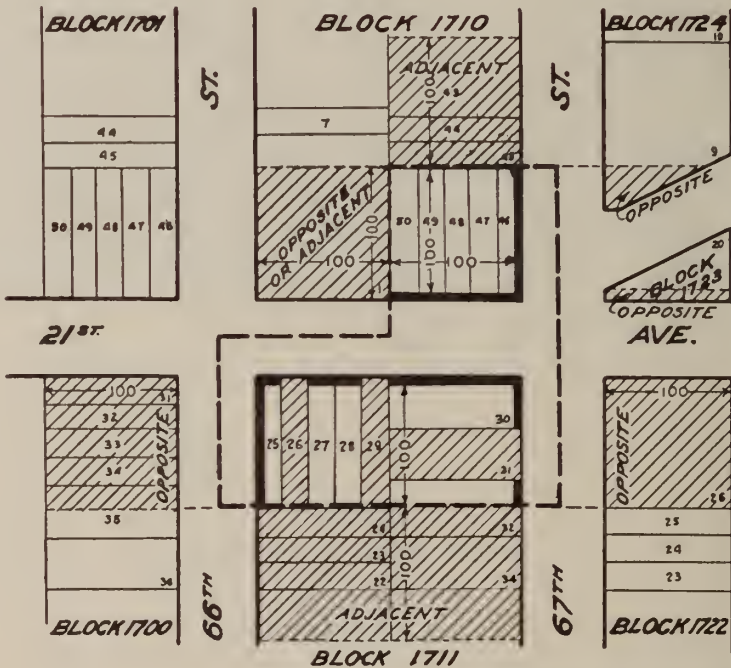
Notice of Proposed
CHANGE IN ZONING

To Whom It May Concern:—

You are hereby notified that I.....
residing or doing business at.....
and.....others propose within a period of one month from the date of this
notice, to petition the City Planning Commission to amend the ZONING RESOLU-
TION by changing from.....to.....
the following premises.....
.....
.....

This notice is posted pursuant to a resolution of the City Planning Commission.
Property owners will be notified not less than 10 days in advance of the date fixed
for the public hearing, provided that they file written requests for such notice with the
Secretary of the City Planning Commission, Municipal Building, New York, N. Y.
Dated.....

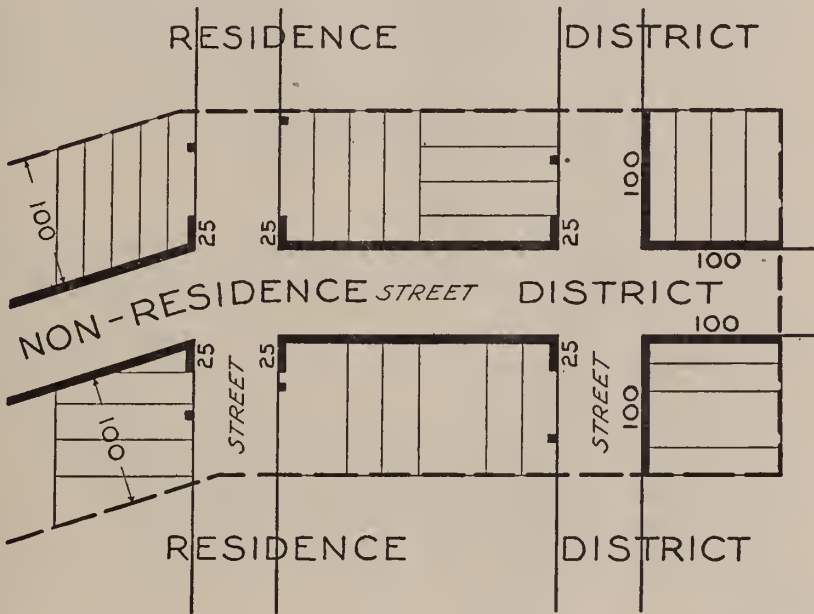
**SKETCH SHOWING
PROPERTY OWNERS DIRECTLY AFFECTED
BY A PROPOSED ZONING AMENDMENT**



NOTE:

- Indicates petitioner's property
- Indicates property the owners of which must be notified
- Indicates the boundary of proposed amendment

**SKETCH SHOWING
PERMISSIBLE LOCATIONS OF BUSINESS ENTRANCES,
SHOW WINDOWS OR SIGNS AT THE INTERSECTIONS
OF NON-RESIDENCE AND RESIDENCE STREETS:
IN ACCORDANCE WITH SECTION 7-A
OF THE ZONING RESOLUTION.**



NOTE:

- Indicates boundary of zoning district.
- Indicates permissible business entrances, show windows or signs. ■ Indicates entrances not exceeding 3½ feet in width.

DEPT. OF CITY PLANNING

DESIGNATION OF ARTERIAL HIGHWAYS TO WHICH SECTION 21-B SHALL APPLY

Pursuant to Article V, Section 21-B, of the Zoning Resolution of The City of New York, the City Planning Commission has designated as arterial highways to which the provisions of Section 21-B of the said Zoning Resolution shall apply, all those arterial highways which appear on the City Map and which are also indicated as Principal Routes, Parkways, and Toll Crossings on the duly adopted Master Plan of Arterial Highways and Major Streets, as follows:

ARTERIAL HIGHWAYS

Principal Routes—

- Bruckner Boulevard—(formerly Southern Boulevard, Whitlock Avenue and Eastern Boulevard), Triborough Bridge Approach to Bronx-Pelham Parkway, Borough of The Bronx.
- Major Deegan Boulevard—Triborough Bridge Approach to and including connection to Grand Boulevard and Concourse.
- Cross-Bronx Expressway—Longfellow Avenue to Bruckner Boulevard.
- Washington Bridge and Approaches.
- Grand Boulevard and Concourse—Connection to Major Deegan Boulevard to Mosholu Parkway.
- Boston Road—Bronx-Pelham Parkway to County Line.
- Miller Highway—West 72d Street to Albany Street.
- East River Drive—East 125th Street to Montgomery Street.
- Queensboro Bridge and Approaches.
- Harlem River Drive—East 125th Street to East 155th Street.
- Williamsburg Bridge and Approaches.
- Manhattan Bridge and Approaches.
- Brooklyn-Queens Expressway—(portions of this route formerly Hicks and Furman Streets, Park Avenue, Mecker Avenue, Kosciuszko Bridge, Connecting Highway and Boody Street), Hamilton Avenue, Borough of Brooklyn, to Grand Central Parkway, Borough of Queens.
- Queens Boulevard—Queensboro Bridge Approaches to Van Wyck Expressway.
- Van Wyck Expressway—(formerly Van Wyck Boulevard), Queens Boulevard to Municipal Airport at Idlewild.
- Queens Midtown Expressway—Queens Midtown Tunnel to Main Line of Long Island Railroad.
- Woodhaven Boulevard—Queens Boulevard to Cross Bay Parkway Bridge.
- Horace Harding Boulevard—Queens Boulevard to Nassau County Line.
- Northern Boulevard—Grand Central Parkway to Flushing River.
- Sunrise Highway—Southern Parkway to Nassau County Line.
- Conduit Boulevard—Atlantic Avenue, Borough of Brooklyn, to Southern Parkway, Borough of Queens.

Parkways—

- Hutchinson River Parkway—Bronx-Whitestone Bridge Approach to Westchester County Line.
- Bronx River Parkway—Bruckner Boulevard to Westchester County Line.
- Mosholu Parkway—Van Cortlandt Park to Bronx Park.
- Bronx-Pelham Parkway—Bronx River Parkway to Bruckner Boulevard.
- Henry Hudson Parkway—West 72d Street, Manhattan, to Westchester County Line.
- Grand Central Parkway—Triborough Bridge Approach to Nassau County Line.
- Whitestone Parkway—Northern Boulevard to Bronx-Whitestone Bridge Approach.
- Cross Island Parkway—Bronx-Whitestone Bridge approach to Southern Parkway.
- Southern Parkway—Cross Island Parkway to Shore Parkway.
- Shore Parkway—Southern Parkway, Borough of Queens, to Gowanus Parkway, Borough of Brooklyn.
- Gowanus Parkway—Shore Parkway to Brooklyn-Battery Tunnel Approach.
- Ocean Parkway—Fort Hamilton Parkway to Shore Parkway.
- Eastern Parkway—Grand Army Plaza to Bushwick Avenue.
- Interborough Parkway—Bushwick Avenue, Borough of Brooklyn, to Grand Central Parkway, Borough of Queens.
- Willowbrook Parkway—Bayonne Bridge Approach to Marine Park.

Toll Crossings—

George Washington Bridge and Approaches.
 Lincoln Tunnel and Approaches.
 Holland Tunnel and Approaches.
 Bayonne Bridge and Approaches.
 Goethals Bridge and Approaches.
 Outerbridge Crossing and Approaches.
 Bronx-Whitestone Bridge and Approaches.
 Cross Bay Parkway Bridge and Approaches.
 Marine Parkway Bridge and Approaches.
 Triborough Bridge and Approaches.
 Henry Hudson Bridge.
 Queens Midtown Tunnel and Approaches.
 Brooklyn-Battery Tunnel and Approaches.

DESIGNATION OF AIRPORTS TO WHICH SECTION 9-A SHALL APPLY

Pursuant to Article III, Section 9-A, of the Zoning Resolution of The City of New York, the City Planning Commission has designated airports to which the provisions of Section 9-A of the said Zoning Resolution shall apply, as follows:

Municipal Airport at Idlewild, Borough of Queens.
 Municipal Airport—LaGuardia Field, Borough of Queens.
 Naval Air Station—Floyd Bennett Field, Borough of Brooklyn.

AMENDMENTS

OF THE (Building Zone Resolution) ZONING RESOLUTION
of THE CITY OF NEW YORK

July 25, 1916 to June 2, 1947

Numbers in () following dates prior to January 1, 1938 refer to Board of Estimate Calendar Numbers.

CP numbers relate to amendments adopted after January 1, 1938.

Amendments dated June 28, 1940 refer to modifications or additions incorporated in the Zoning Resolution which replaced the Building Zone Resolution on that date.

| <i>Article</i> | <i>Section</i> | <i>Effective Date</i> |
|---------------------------|-----------------------------------|---|
| I 1(a) | Text | Modified 6/28/40 |
| I 1(c) | Street width definition | Modified 7/12/45 (CP-3644) |
| I 1(d, f, h k and l) | Text | Modified 6/28/40 |
| I 1(o) | Family definition | Added 7/6/38 (CP-312) |
| I 1(o) | Family definition | Modified 6/28/40 |
| I 1(p to z) | Additional definition | Added 6/28/40 |
| I 1(aa) | Bus station definition | Added 10/29/45 (CP-3824) |
| II 2(3) | Retail Districts | Added 4/18/29 (43-C) |
| II 2(4) | Restricted Retail Districts | Added 6/4/37 (35) |
| II 2 | Text | Modified 6/28/40 |
| II 3 | Text | Modified 6/28/40 and 7/31/43 (CP-2975) |
| II 3(1) | Text | Added 7/6/38 (CP-312) |
| II 3(1) | Text | Modified 6/28/40 |
| II 3(1) | Text | Modified 6/2/47 (CP-4748 A) |
| II 3(4) | Court Houses | Added 6/16/27 (55) |
| | Electric pumping stations | Added 12/20/28 (28) |
| II 3 | Relating to private garages | Modified 3/24/33 (20) and Eliminated 6/28/40 |
| II 3(9), (9-a and 9-b) | Accessory Uses | Added 6/28/40 |
| II 3(9) | Accessory Uses | Modified 5/8/43 (CP-2774) |
| II 3(9-c) | Practice of a profession | Added 6/28/40 |
| II 3(9-c) | Practice of a profession | Modified 5/8/43 (CP-2774) |
| II 3(9-d) | Signs | Added 6/28/40 |
| II 3(9-e) | Sale of sod, etc. | Added 6/28/40 |
| II 3(10) | Administrative offices, etc. | Added 7/31/43 (CP-2975) |
| II 4(a) | Prohibited Uses numbered | Added 12/21/17 (17) |
| II 4(a-4) | Welding | Added 6/28/40 |
| II 4(a-11) | Dyeing, etc. | Modified 6/28/40 |
| II 4(a-15) | Garage, etc. | Modified 3/1/28 (19) |
| II 4(a-15) | Parking | Added 6/28/35 (7) |
| II 4(a-15) | Garage space | Modified 6/28/40 |
| II 4(a-25) | Pigment | Added 6/28/40 |
| II 4(a-29) | Repair shop for motor vehicles | Modified 6/28/40 |
| II 4(a-31) | Lumber yard | Added 6/28/40 |
| II 4(a-33) | Fowl | Added 6/28/40 |
| II 4(a-39) | Manufacture of cement blocks | Added 3/15/29 (21) |
| II 4(a-45) | Refrigerating plants | Added 5/26/24 (3) |
| II 4(a-45) | Coal yards and coal pockets | Added 11/24/24 (2) |
| II 4(a-46) | Gasoline service stations | Added 6/12/25 (22) |
| II 4(a-46) | Gasoline service stations | Modified 6/28/40 |
| II 4(a-47) | Bus station | Added 6/28/40 |
| II 4(a-47) | Bus station | Modified 10/29/45 (CP-3824) |
| II 4(a-48) | Trailer camp | Added 6/28/40 |

| <i>Article</i> | <i>Section</i> | <i>Effective Date</i> |
|--------------------|--|-------------------------------|
| II 4(a-49 a, b, c) | Signs | Added 6/28/40 |
| II 4(a-50) | Automobile wrecking yard | Added 6/28/40 |
| II 4(a-51) | Steam or wet wash laundry | Added 6/28/40 |
| II 4(b) | Garages formerly car barns | Modified 12/2/44 (CP-3320) |
| II 4(c) | Residence uses permitted in Business District | Eliminated 6/28/40 |
| II 4(c) | Residence uses permitted in Business District | Restored 12/18/40 (CP-1704A) |
| II 4(c) | Sect. 3(10) Uses permitted in Business District | Added 7/31/43 (CP-2975) |
| II 4-A | Retail Districts | Added 4/18/29 (43-c) |
| II 4-A | Uses authorized by Sect. 3(10) | Added 7/31/43 (CP-2975) |
| II 4-B | Restricted Retail Districts | Added 6/4/37 (35) |
| II 4-B(a to k) | Restricted Retail Districts | Modified 6/28/40 |
| II 4-B | Warehouse, except as authorized under Sect. 3(10) | Added 7/31/43 (CP-2975) |
| II 4-C | Local Retail Districts | Added 6/28/40 |
| II 4-C | Uses authorized by Sect. 3(10) | Added 7/31/43 (CP-2975) |
| II 4-D | Business-1 Districts | Added 6/28/40 |
| II 4-E | Retail-1 Districts | Added 6/28/40 |
| II 4-F | Manufacturing Districts | Added 6/28/40 |
| II 6 | Text expanded | Modified 12/21/17 (18) |
| II 6 | Date July 25, 1916 | Added 10/3/24 (3) |
| II 6 | Text | Modified 6/28/40 |
| II 6 | Non-conforming uses | Added 12/18/40 (CP-1704A) |
| II 6(b) | Non-conforming uses | Modified 10/29/45 (CP-3824) |
| II 7 | Use District Exceptions | Modified 6/28/40 |
| II 7(c) | Extension of existing building | Modified 3/23/17 (6) |
| II 7(c) | Extension of existing building | Added 6/28/40 |
| II 7(e) | Text | Modified 12/21/17 (19) |
| II 7(e) | Parking | Added 6/28/35 (7) |
| II 7(e) (g) | Retail District | Added 4/18/29 (43-c) |
| II 7(e) (g) | Restricted Retail | Added 6/4/37 (35) |
| II 7(e) | Text | Eliminated 6/28/40 |
| II 7(e) | Conditional permits | Added 6/28/40 |
| II 7(e) | Conditional permits | Modified 6/28/45 (CP-3636) |
| II 7(f) | Conditional permits | Eliminated 6/28/40 |
| II 7(f) | Permit for gasoline station | Added 6/28/40 |
| II 7(g) | Erection of garage with 80% consents | Added 9/21/17 (30) |
| II 7(g) | Text | Modified 6/28/40 |
| II 7(h) | Parking | Added 6/28/35 (7) |
| II 7(h) | Text | Modified 6/28/40 |
| II 7(i, j and k) | Text | Added 6/28/40 |
| II 7(j) | Bus station permit | Eliminated 10/29/45 (CP-3824) |
| II 7-A | Transition from Non-Residential to Residential Use on side streets | Added 3/1/43 (CP-2774) |
| II 7-A | Text | Modified 2/15/45 (CP-3395) |
| III 8(a) | One-quarter times | Added 3/23/23 (21) |
| III 8(b) | One-half times | Added 3/23/23 (21) |
| III 8(c) | Three-quarter times | Added 11/25/21 (19A) |
| III 8 | Height Districts | Modified 6/28/40 |
| III 8(a to h) | Height Districts | Modified 12/2/44 (CP-3320) |
| III 9(b) | 100 feet substituted for 150 feet | Modified 6/28/40 |

| <i>Article</i> | <i>Section</i> | <i>Effective Date</i> |
|-------------------|-------------------------------------|--|
| III 9(b) | Wider to narrower street | Modified 12/2/44 (CP-3320) |
| III 9(d) | Text | Modified 7/12/45 (CP-3644) |
| III 9(e) | Excess height | Modified 2/25/46 (CP-4016) |
| III 9-A | Airports | Added 6/28/40 |
| III 9-A | Airports | Modified 11/15/45 (CP-3823) |
| IV 10 | F Districts | Added 7/19/22 (17) |
| IV 10 | G Districts | Added 7/6/38 (CP-312) |
| IV 10 | D-1, E-1 and F-1 Districts | Added 6/28/40 |
| IV 10 | Area Districts | Modified 12/2/44 (CP-3320) |
| IV 10 | Exception added | Modified 2/25/46 (CP-4017) |
| IV 11(a) | Court dimension | Modified 12/2/44 (CP-3320) |
| IV 11(b) | Lot coverage | Added 12/2/44 (CP-3320) |
| IV 12(a) | Yards and courts | Modified 12/2/44 (CP-3320) |
| IV 12(b) | Lot coverage | Added 12/2/44 (CP-3320) |
| IV 12(b) | Lot coverage | Modified 3/1/45 (CP-3487) |
| IV 12(b) | Various Retail Districts eliminated | Revised pursuant to Court of Appeals decision of 7/23/46 |
| IV 13(a) | Yards and courts | Modified 12/2/44 (CP-3320) |
| IV 13(b) | Lot coverage | Added 12/2/44 (CP-3320) |
| IV 13(c) | Formerly 13(b) | No change (CP-3320) |
| IV 14(a) | Word "Amended" | Eliminated 6/28/40 |
| IV 14(c) | Garages excluded | Added 1/9/41 (CP-1792) |
| IV 14(a to c) | D Districts | Modified 12/2/44 (CP-3320) |
| IV 14-A (a to e) | D-1 Districts | Added 6/28/40 |
| IV 15(d) | 10 foot setback | Added 1/18/24 (21) |
| IV 15(a to d) | E Districts | Modified 6/28/40 |
| IV 15(e) | Ratio of floor to lot area | Added 6/28/40 |
| IV 15-A (a to d) | E-1 Districts | Added 6/28/40 |
| IV 15-A (a and b) | 2-family dwellings | Modified 3/1/43 (CP-2774) |
| IV 16(a to d) | F Districts | Added 7/19/22 (17) |
| IV 16(a to d) | Text | Modified 6/28/40 |
| IV 16(e) | Ratio of floor to lot area | Added 6/28/40 |
| IV 16-A (a and b) | F-1 Districts | Added 6/28/40 |
| IV 16-B | G Districts (formerly 16-A) | Added 7/6/38 (CP-312) |
| IV 16-B (a to e) | Text | Modified 6/28/40 |
| IV 16-C | G-1 Districts | Added 6/2/47 (CP-4748A) |
| IV 17(a) | Rear Yards, Except in F Districts | Added 7/19/22 (17) |
| IV 17(a and b) | Rear Yards | Modified 6/28/40 |
| IV 17(a and b) | Rear Yards | Modified 12/2/44 (CP-3320) |
| IV 18(b) | Courts | Modified 7/19/22 (17) |
| IV 18(b) (4) | Words "or a G" | Added 7/6/38 (CP-312) |
| IV 18(b-1 to 5) | Text | Modified 6/28/40 |
| IV 18(b-3 and 4) | Text | Modified 3/1/43 (CP-2774) |
| IV 18(d) | Court space | Added 6/28/40 |
| IV 19(a) | E Districts | Added 9/21/17 (27) |
| IV 19(a) | F Districts | Added 7/19/22 (17) |
| IV 19(a) | G Districts | Added 7/6/38 (CP-312) |
| IV 19(a) | Area District Exceptions | Modified 6/28/40 |
| IV 19(e) | Buildings on one lot | Modified 7/19/22 (17) |
| IV 19(e) | Coverage buildings on one lot | Modified 2/25/46 (CP-4017) |
| IV 19(g and h) | Business entrances | Added 6/28/40 |
| IV 19(g and h) | Text | Eliminated 3/1/43 (CP-2774) |
| IV 19(g) | Extra space for parking | Added 12/2/44 (CP-3396) |
| IV 19-A (a to d) | Loading Space | Added 6/28/40 |
| V 20 | New Text | Modified 6/28/40 |
| V 21 | Schools | Added 6/6/19 (15) |
| | Hospitals | Added 6/20/19 (8) |
| | Parking | Added 6/28/35 (7) |
| | Gasoline Stations | Added 5/22/25 (29) |
| V 21 | Text | Modified 6/28/40 |
| V 21-A | From former Sect. 21 | Added 6/28/40 |
| V 21-A | Schools and Parking | Modified 1/9/41 (CP-1792) |

| <i>Article</i> | <i>Section</i> | <i>Effective Date</i> |
|---|---|----------------------------|
| V 21-B | Signs near parks | Added 6/28/40 |
| V 21-B | Signs near parks | Modified 6/28/45 (CP-3606) |
| V 21-C | Site Plans for large Residential Developments | Added 6/28/40 |
| V 21-D | Bus stations | Added 10/29/45 (CP-3824) |
| V 22 | Certificate of Occupancy | Modified 6/28/40 |
| V 22-A | Lapse of Variance | Added 6/28/40 |
| V 23 | Enforcement | Modified 5/29/25 (10) |
| V 23 | Text | Modified 6/28/40 |
| V 24 | Basis for protests | Modified 12/8/33 (14) |
| V 24 | Text | Modified 6/28/40 |
| V 25 | Restoration of Buildings | Modified 12/15/16 (3) |
| V 25 | Building permits, time limit | Modified 10/19/17 (20) |
| V 25 | Building permits, time limit | Modified 4/25/19 (9) |
| V 25 | Building permits, time limit | Eliminated 10/3/24 (3) |
| V 25 | Restoration of buildings | Modified 6/28/40 |
| Appendix | Height Map Designations | Modified 6/28/40 |
| Appendix Rules 1, 2, 3 (a b, c, e and f) | Height Map Designation | Modified 6/28/40 |
| Appendix | Area Map Designation "F" | Added 7/19/22 (17) |
| Appendix | Area Map Designation "G" | Added 7/6/38 (CP-312) |
| Appendix | Area Map Designations | Modified 6/28/40 |
| Appendix Rules 1, 2, 3 (a, b, c, f and g) | Area Map Designation | Modified 6/28/40 |
| Appendix | Use Map Designation for Retail | Added 4/18/29 (43-c) |
| Appendix | Restricted Retail | Added 6/4/37 (35) |
| | Local Retail, Retail-1, Business-1 and Manufacturing | Added 6/28/40 |
| Appendix Rules 1, 2, 3, 4 (a, b, c, d and h-j-k) | Use Map Designation | Modified 6/28/40 |
| Appendix Rule 4(1) | Use Map Designation | Added 6/28/40 |
| Appendix | Diagram Illustrating Methods Used in Fixing Boundaries of Use Districts | Modified 6/28/40 |
| Appendix | Arterial Highways to which Sect. 21-B shall apply | Adopted (last) 3/16/46 |
| Appendix | Airports to which Section 9-A shall apply | Adopted 12/19/45 |

NOTE: Prior to October 3, 1924, present Section 16 was designated as Section 15-A and present Sections 17 to 26 inclusive were designated as Sections 16 to 25 incl.

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